

The complaint

Mr and Mrs S complain about poor service, errors and delays with their re-mortgage with Barclays Bank UK PLC. They ask for compensation for their time, stress and worry.

What happened

Mr and Mrs S had a mortgage with Barclays which had been on an interest only payments basis for some years. The term expired in April 2019 with an unpaid balance. Mr and Mrs S wanted to re-mortgage with Barclays. They started this process in March 2019. The re-mortgage didn't complete until late 2020. During this time, Mr and Mrs S say they had to re-send information on many occasions. They spoke to three advisers, none of whom they consider were properly trained. They say they didn't receive letters and emails Barclays said it had sent and its service and communication was poor. After the re-mortgage completed, Barclays didn't tell them they needed to make the first payment manually, resulting in arrears.

Our investigator said the application hadn't been straightforward due to Mr and Mrs S's circumstances. While Barclays made errors and caused some delays, the compensation it offered was fair.

Mr and Mrs S didn't agree. They said they didn't receive letters and emails that Barclays claimed it had sent (and which could have been fabricated). They say Barclays withheld information such as call recordings when they did a data subject access request.

What I've decided – and why

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Mr and Mrs S say I can't reach a fair decision without the information they say Barclays has withheld. I should say here that where the evidence is incomplete, inconclusive or contradictory, I reach my decision on the balance of probabilities – in other words, what I consider is most likely to have happened in light of the available evidence and the wider circumstances. Having reviewed the available evidence, I think I can reach a fair decision.

Mr and Mrs S's mortgage term expired in April 2019 with an unpaid balance. They contacted Barclays about re-mortgaging. Barclays records show it ran decisions in principle in March 2019, September 2019 and September 2020 which declined the application. In each case there were several reasons, such as that Mr and Mrs S would be past retirement age at maturity, adverse credit history and lack of affordability. A successful application submitted in late 2019/early 2020 expired while Barclays solicitors were dealing with a charging order on the property title.

An application in November 2020 was successful and the re-mortgage completed in late 2020.

Mr and Mrs S are understandably frustrated by the time this took. I can see from Barclays

notes that they were in regular contact with Barclays about the mortgage and to provide information about their circumstances. They say they didn't receive letters and emails, and they weren't kept up to date with how the matter was progressing. The mortgage term had expired and Mr and Mrs S needed to find a way to repay it. This would have been a stressful period for them.

I don't think I can fairly find that the re-mortgage should have completed sooner. Barclays had concerns about affordability and Mr and Mrs S's adverse credit history which needed to be looked into. Barclays needed information about Mr and Mrs S's income after they retire. A successful application in early 2020 was held up by legal problems related to a charge on Mr and Mrs S's property title. The application expired and had to be restarted later in 2020. However, Barclays accepts that it didn't provide a good service to Mr and Mrs S during this time.

Barclays also accepts that it didn't give Mr and Mrs S clear information that they needed to make the first payment manually after the re-mortgage completed. As a result, the payment was missed. Barclays confirmed this didn't affect Mr and Mrs S's credit file, although it said they will need to make up the missed payment.

Barclays also apologised for delays in responding to Mr and Mrs S's data subject access request and for telephoning at times when Mr and Mrs S had told it they are out at work. Barclays paid £200 and offered another £400 compensation for the upset caused.

Barclays provided copies of letters and emails it says it sent to Mr and Mrs S. Mr and Mrs S say they didn't receive these letters and emails or have the telephone conversations that Barclays claims they did. They consider this to be fraud and that these documents could be easily fabricated. They say Barclays took too long to respond to their subject access request and has withheld information.

Barclays did respond – albeit after some delay – to Mr and Mrs S's subject access request. I think that any concerns Mr and Mrs S have about this would be better addressed to the Information Commissioners Office (ICO).

Mr and Mrs S are unhappy with the way Barclays dealt with their complaints. I should explain here that complaint handling isn't itself a regulated activity. That means we can't look into Mr and Mrs S's complaints about how Barclays dealt with their complaint, unless this impacted on sorting out the underlying problem (the re-mortgage). I don't think that was the case here as the complaints were raised after the re-mortgage completed.

I appreciate that the process of re-mortgaging was stressful and drawn out. Barclays poor communication and service would have added to this. Even when the re-mortgage completed Barclays made further errors. However, I think a large part of the time taken and stress would have been due to Mr and Mrs S's circumstances. They had a mortgage that had expired with an unpaid balance and their circumstances caused difficulties with re-mortgaging. I think for the *additional* upset caused by Barclays errors compensation of £600 is fair and reasonable.

My final decision

My decision is that Barclays Bank UK PLC should pay £400 to Mr and Mrs S, as it offered to do, in addition to the £200 it has already paid.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S and Mrs S to accept or reject my decision before 13 April 2022.

Ruth Stevenson
Ombudsman