

The complaint

The estate of Mrs L complains about how Barclays Bank UK PLC dealt with an account closure and complains about a letter sent by it. The estate is represented by its solicitor whom I will call "Mr P".

What happened

Mr P says that Barclays failed to close all of Mrs L's accounts which resulted in extra legal work. He also says Barclays wrote to Mrs L after she passed away which caused her husband Mr L, an executor of the estate, distress. Mr P says Barclays didn't follow instructions and didn't address the issues in its final response letter. He says an executor, Mr L, had to attend his office as a result of what took place and would like the extra-legal fees incurred, paid by Barclays as well as compensation for what took place.

Barclays says it received the account closure information on 7 January 2022 but accepts there was a problem closing one of the accounts. It says it normally would have taken about 15 working days to close the account and pay the estate the proceeds but says in this instance the money was paid on 2 February 2022, which was a delay of about five days. Barclays accepts it addressed the complaint letter to Mrs L and has apologised for both mistakes. It says it has paid £150 compensation.

Mr P brought the complaint to us and says the extra-legal fees amount to just over £1,400.

Our investigator upheld the complaint and thought Barclays hadn't explained to Mr L in sufficient detail that the compensation offer of £150 was for both issues. The investigator thought Mr L was entitled to further compensation for the distress he was caused when grieving and recommended total compensation of £400.

Mr P doesn't accept that view and says that award amounts to about just over an hour of legal work, which isn't sufficient.

Barclays has agreed to pay the £400 recommended by the investigator.

My provisional decision

I issued a provisional view on this complaint and thought that Barclays had made a fair and reasonable compensation offer which I thought fairly took into account the inconvenience the estate was caused by Barclays delay in closing the account. I said I would explain why I couldn't award compensation for the distress caused to Mr L by Barclays letter, which was part of the reason I decided to issue a provisional decision on this complaint.

I said I make clear to the parties here that the complainant is the estate of Mrs L and not Mr L or the solicitors. I had not seen any evidence that Mr L was a joint account holder of the account in question. I said it follows that I can't consider the distress caused to Mr L by Barclays mistake in writing to Mrs L following the complaint being raised. I had no doubt he was caused distress by that letter and said it is of course open to Barclays to pay compensation as it has done for that mistake, but I hoped the parties appreciated why I

couldn't award compensation for any distress caused.

I explained there was no issue here that Barclays made a mistake by not closing one of the accounts when directed to do so. I was satisfied that meant in practical terms that there was what I thought was a relatively short delay of some days in the estate receiving the proceeds from the account. I accepted that Mr L asked Mr P for advice about that issue. But I was satisfied that Barclays has made a fair and reasonable compensation offer which I thought fairly reflected the level of inconvenience caused and any reasonable extra costs incurred by the estate. I made clear that I thought the issue was resolved in a relatively short time period and didn't justify the legal costs Mr P says were incurred by the estate. I had not seen specific details of the actual legal costs or evidence that the estate had paid them. And thought that there would have been work incurred by the solicitors in any event in dealing with the estate.

Overall, I accepted that Barclays ought to have dealt with, what should have been, a straightforward matter of closing an account more appropriately. But I was satisfied that it's made a fair and reasonable total compensation offer of £400 which reflects the inconvenience the estate was caused by its mistake and the delay in it receiving the money.

Mr P accepts my provisional view on behalf of the estate.

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.

Having done so I have come to the same overall view that I reached in my provisional decision and for the same reasons.

Putting things right

Barclays should pay the estate £400 compensation as it's agreed to do.

My final decision

My final decision is that I uphold this complaint in part and order Barclays Bank UK PLC to pay the estate of Mrs L £400 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask the estate of Mrs L to accept or reject my decision before 17 November 2022.

David Singh
Ombudsman