

The complaint

Mrs H complains that Barclays Bank UK PLC made a number of errors when dealing with her credit card and current accounts since the passing of her late husband, and that these errors caused her significant distress.

What happened

When Mrs H's late husband passed in 2020, she promptly told Barclays of this. Mrs H also told Barclays she was the carer for her late husband before he passed, that her income had now significantly reduced, and that she was experiencing financial difficulties.

Mrs H complained to Barclays that it had been sending letters recording that it was Mrs H who'd passed away. Mrs H highlighted Barclays had incorrectly re-instated a direct debit without her instruction and that Barclays had issued a default notice on her credit card account. Barclays accepted that it had made several errors and paid Mrs H £175 for the distress this had caused her. Barclays also refunded a late payment fee and interest it had applied to the credit card account. Barclays confirmed the account was now with its specialist support team – a team that was in place to assist customers facing ill health, personal and financial difficulties - and that it had provided feedback to staff members who'd issued the incorrect letters and made the errors on the account.

Mrs H complained to Barclays later the same year. Barclays said it had dealt with some of the complaints in its final response in August but apologised it had sent text messages to Mrs H about missed payments after saying it wouldn't. Barclays confirmed to Mrs H that her account was formally closed, and it may still be transferred to a debt collection agency, as detailed in the account terms and conditions. Barclays confirmed it had issued a default notice. In a follow-up to response in December, Barclays told Mrs H that in relation to the data subject access request she'd made, it had sent copies of the calls it had recorded. Barclays said it hadn't identified any further errors and that its previous responses had provided a reasonable remedy.

Mrs H brought the complaint to the Financial Ombudsman Service where one of our Investigators looked into things. The Investigator explained that the Financial Ombudsman Service doesn't deal with complaints regarding data subject access requests or data the business had provided, and that these are dealt with by the Information Commissioners Office (ICO). The Investigator explained that Barclays were entitled to pass Mrs H's account to a debt recovery agent, and this is outlined in the account terms and conditions if a customer had missed payments. The Investigator thought it was reasonable that when Barclays established Mrs H's expenditure exceeded her outgoings, it passed the account to a specialist team to support her.

However, the Investigator thought that number of repeated errors Barclays made required Mrs H to contact Barclays to try and resolve them. And, that the payment of £175 Barclays has already paid Mrs H for distress and inconvenience didn't take into account the impact the errors would have had on Mrs H as she was grieving the passing of her late husband. The Investigator thought it would be fair and reasonable for Barclays to pay Mrs H a further £125 to reflect the impact on Mrs H in the circumstances of this complaint.

Mrs H asked that an Ombudsman decides the complaint.

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.

I understand that Mrs H will be disappointed, but I've decided Barclays should pay her a further £125 for the impact of the poor service in the circumstances of this complaint. I want to re-assure Mrs H that I've read all of her comments and, although I won't comment on everything she has said, I've taken the relevant comments into account.

Mrs H has confirmed that the issue she raised about the data Barclays provided to her after her data subject access request has been addressed by the ICO, so I won't be commenting on this issue.

I've seen that when Mrs H told Barclays that she was experiencing some financial difficulties after her late husband passed, Barclays passed her account to a specialist team. This is something I would expect Barclays to do. It's not disputed that Mrs H's outgoings were higher than her income or that there were discussions about what would happen next. Mrs H says she was told her accounts wouldn't be passed to a debt collection agent. but I've seen that in Barclays response to Mrs H in November it explained to Mrs H that the account may be transferred to a debt recovery agent if her account was formally closed – and that although Barclays didn't expect payments on the account, the balance remained payable. The same letter confirmed to Mrs H that her account had been formally closed. So, although I empathise with Mrs H that she was upset Barclays passed the account to a debt recovery agent, I'm satisfied Barclays didn't do anything wrong here.

When Mrs H told Barclays of her financial difficulties it suspended further interest and charges on the account. This is what I would expect Barclays to do. And when Mrs H complained in August, Barclays confirmed it had reversed interest and charges on the July credit card statement. I think this demonstrates that Barclays had taken reasonable steps to assist Mrs H at this time.

I'm not required to make a decision on the some of the complaints Mrs H has made as Barclays accepts it made several errors and has confirmed it's provided feedback to staff members who were involved in these errors. These happened when Mrs H told Barclays that her late husband had passed, and it incorrectly recorded Mrs H had passed - not her late husband - and it sent out text messages about missed payments. Instead, I have considered whether or not the remedy Barclays paid to Mrs H was a fair and reasonable in the circumstances of this complaint.

I think it's reasonably clear from the communications Mrs H sent to Barclays that she is particularly distressed by the repeated errors that resulted in her having to contact Barclays on more than one occasion to tell them she hadn't passed. Although this would have been upsetting for any customer of Barclays, I'm satisfied it would have caused Mrs H more upset because she was still grieving the passing of her late husband – it was insensitive, even if it wasn't intentional. And, although I acknowledge Barclays has already paid Mrs H £175 to reflect the distress these errors caused, I've decided Barclays should pay Mrs H a further £125 to reflect the additional impact these errors had on Mrs H in the circumstances at the time, and it is in line with what our website suggests is a reasonable remedy in a complaint like this.

My final decision

I've decided that Barclays Bank UK PLC should pay Mrs H a further £125 for the distress and inconvenience the errors I've detailed above caused her.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs H to accept or reject my decision before 26 July 2023.

Paul Lawton
Ombudsman