

The complaint

The estate of Mr I complains about how Barclays Bank UK PLC dealt with an estate invoice.

What happened

Ms I on behalf of the estate of Mr I says Barclays failed to pay an estate invoice of over £3,000. She says she submitted invoices to Barclays which it paid but unknown to her it didn't pay a care home invoice. Ms I says she distributed the proceeds from the estate and there is now no money to pay the invoice that is outstanding. She says she didn't receive an account statement from Barclays and had no way of knowing the invoice hadn't been paid. Ms I questions why she is liable to pay the invoice and says it's up to Barclays to pay it. She says she has been caused distress as a result.

Barclays accepts it made a mistake and has apologised. It says the invoice was unclear but accepts it didn't write to Ms I to tell her. Barclays has offered £250 compensation but says it's not responsible for the invoice payment which is the estate's responsibility.

Ms I brought her complaint to us and our investigator didn't uphold it. The investigator thought the compensation offer appropriate and explained that we couldn't award compensation to Ms I for her distress. The investigator thought the estate ought to have been aware the invoice remained unpaid.

Ms I doesn't accept that view and says this was Barclays error which it's responsible for.

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 overall view that Barclays has made an appropriate compensation offer in total of £250.

I hope it helps Ms I to understand our role here. We are not Barclays regulator and so it's not our role to punish it for the clear mistake it made. And the complainant here is not Ms I but the estate and so we can't order compensation for any distress or inconvenience caused to Ms I personally. We can order compensation be paid to an estate for inconvenience for example it was caused.

There is no dispute here that Barclays made a mistake. I accept the invoice for over £3,000 may have been unclear in part although the total amount payable is clear. But I'm satisfied in those circumstances Barclays ought to have told Ms I that and I have no doubt she would have provided a clearer copy. I have no reason to doubt what Ms I says that she didn't have a closing statement which would have told her the invoice remained unpaid. So, I accept that the estate has been caused inconvenience in now having to pay a debt it thought had been paid.

I can see that Barclays has fairly apologised for the mistake and offered £250 compensation.

I'm satisfied that offer is fair and reasonable for its mistake in not telling the estate about the unclear invoice.

The key issue here is about the liability for the invoice. I'm satisfied the invoice was a debt the estate was liable for and obliged to pay. The invoice was not incurred by Barclays. I'm also satisfied that the estate has been paid a greater amount than it would have received if the invoice had been paid by Barclays. So, I can't see that the estate has suffered a loss and was always liable for the invoice. I accept the estate will be caused inconvenience by now having to pay the invoice but am satisfied the compensation fairly reflects the level of that inconvenience.

Overall, I'm satisfied the estate didn't make a mistake here and couldn't reasonably have realised the invoice hadn't been paid. But that doesn't mean liability for that debt now shifts to Barclays as clearly it didn't incur nursing home fees.

Putting things right

Barclays should pay the estate £250 as it's agreed to do.

My final decision

My final decision is that Barclays Bank UK PLC has made a fair compensation offer of £250 to settle this complaint and it should pay that amount.

Under the rules of the Financial Ombudsman Service, I'm required to ask the estate of Mr I to accept or reject my decision before 12 July 2023.

David Singh
Ombudsman