

The complaint

Mr H complains about the way Barclays Bank UK PLC has dealt with his request to receive shares he inherited from his mother. His concerns relate to the level of service he has received from Barclays whilst trying to open a Smart Investor (SI) account in his own name in order to receive the shares.

What happened

Sadly, Mr H's mother passed away. Mr H is both an executor for the estate and a beneficiary of assets held within it. This included shares which were held by his late mother in a Barclays account. Since 2019, Mr H has been attempting to obtain the shares he was due to inherit. In 2019, Barclays had suggested to Mr H that he open an account in his own name, but this isn't something he wanted to do.

Barclays issued a complaint response to Mr H in his role as executor of his mother's estate in February 2020. At this point the majority of the shares had been certificated allowing him to receive them and Mr H understood Barclays would support him with gaining ownership of the remaining.

But in early 2022, Mr H raised a complaint as he was concerned that he still hadn't received all of the shares he was due to inherit. In Barclays response it suggested two solutions, sell the shares, or open an SI account in his name to receive them. Mr H didn't want to sell the shares, this left the only option being to open a new SI account. Due to his previous experiences of dealing with Barclays he was not inclined to do this. But reluctantly he did make attempts to open an account, which proved a difficult and unsuccessful experience for him. In August 2022, he raised concerns with Barclays about being sent to a branch to verify his personal details only to find it to be permanently closed. Following this he had problems with opening an account through the online process. This meant he was still unable to open an account or receive his shares.

Mr H referred the complaint to this service for an independent review.

One of our investigators looked into the complaint. She found:

- Barclays insisted on Mr H opening a SI account in order to have the shares transferred to him directly. He resisted opening the account for some time but eventually agreed. When applying he experienced issues – including:
 - Barclays directing him to attend a branch which was closed down. He then had to visit another branch some distance away from his home but was still unable to open the account.
 - At Barclays request, he attempted to complete the online form but could not do so as the form kept timing out and the pages were not loading correctly.
- Barclays has provided him with contradicting information and poor service. So it is understandable why Mr H grew so frustrated with this process, and subsequently the option was abandoned.
- Overall, the service provided by Barclays was poor and disappointing bearing in mind that this has already been a very difficult time for Mr H, having lost his mother and

then dealing with the settlement of the estate.

- Barclays should pay Mr H £350 for the distress and inconvenience caused to him.

Mr H responded and provided further submissions. He remains unhappy the settlement of the estate and the transfer of shares still remains unresolved. He said the £350 suggested does not compensate him for the time he has been forced to employ in trying to recover what is rightly his, let alone provide anything towards the distress and inconvenience he has suffered. He doesn't see the distinction between this personal complaint and the one he has raised as an executor for his mother's estate.

Barclays didn't respond to confirm it would pay the compensation recommended. As the complaint remained unresolved, it was escalated to an ombudsman for a decision to be made.

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.

As explained, Mr H is involved in a separate complaint brought by his mother's estate. To be clear, I won't be considering anything to do with this complaint or the problems the estate has encountered in transferring assets. I appreciate why Mr H sees it as the same issue but Mr H's eligibility to bring a complaint about the account opening is derived from a different relationship with Barclays compared to that he holds as an executor of his mother's estate.

Mr H is eligible to bring a complaint about the issue to do with the failed opening of a SI account to this service. He is an eligible complainant under our rules as he meets the requirements set out. Firstly, he is a consumer, and secondly, he is a potential customer of Barclays because he was attempting to open an account with it.

My decision will focus solely on the issues brought in his personal capacity in relation to the failed opening of a SI account.

As Barclays hasn't engaged with the complaint, I've had to reach a decision without any responses or submissions provided on its behalf. But I have been able to gain an understanding of what happened through the evidence and submissions Mr H has provided.

It is clear there were problems in opening an account. Mr H has explained previous bad experiences from dealings with Barclays meant he didn't want to become a customer of it again when it was first suggested. So when it was given as the only viable option in order to receive the shares, he was very reluctant. But ultimately, he agreed to start the application process based on advice provided by Barclays as he wanted to keep the shares, rather than sell them. But unfortunately, this process caused him considerable distress and inconvenience.

It isn't entirely clear to me why Barclays wasn't able to open an account for him. It hasn't provided submissions to properly explain why the account opening failed.

Mr H says he was told by Barclays he needed to visit a local branch in order to update his personal details to allow for an account application to go ahead. But he says when he arrived at the branch it was closed down, so he had to travel further to another branch. He says he was sent on a wild goose chase and a complete waste of his time. And he was forced to make a special trip into his nearest city at great inconvenience. When he attempted to use the online process to apply, he says this keeps timing out and he's unable to complete it. He was further frustrated when he attempted to get an explanation from

Barclays on the problems he encountered. I haven't seen evidence there was anything Mr H did (or didn't do) to prevent the account opening. So, my finding is that the failure lies with Barclays.

I've looked at the impact this had on Mr H. As I explained above, in deciding this complaint I'm not considering the issues and impact of Barclays's actions on Mr H in his role as an executor of his mother's estate, I'm only considering the impact of Barclays's handling of the account opening. Notwithstanding this, I recognise there has been considerable impact on Mr H.

It is clear the situation has caused Mr H considerable frustration and disappointment. He's also been put to a lot of trouble, and the failed application means he had still not resolved his ultimate aim of receiving the inherited shares. The context of which is important as he had been very reluctant to open an account with Barclays, and he had been involved in a prolonged dialogue attempting to transfer shares from his mother's estate.

Having considered the evidence available, I find Barclays is required to pay Mr H compensation for the distress and inconvenience he has suffered as a result of the way it handled the failed account opening. The investigator recommended Barclays pay £350. I agree this is a fair and reasonable amount of compensation in light of the impact Mr H has suffered. I note Mr H feels this doesn't cover the extent of the impact he has suffered due to the way Barclays has dealt with the whole situation. But as I've explained, I'm not considering the circumstances relating to Mr H's role as an executor as part of this complaint, so I'm not considering any of the impact he has mentioned in respect of this role.

My final decision

I uphold this complaint and require Barclays Bank UK PLC to pay Mr H £350.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 22 April 2024.

Daniel Little
Ombudsman