

The complaint

The estate of Mrs E is unhappy with Barclays Bank UK PLC. Barclays had been asked by the estate to pay any bills from the late Mrs E's bank account. But it didn't pay the funeral bill.

As the dispute has been handled by Mrs R I will refer to her throughout the decision.

What happened

A bill from a funeral director for approximately £3,360.00 was passed on to Barclays. Unfortunately, Barclays didn't pay this funeral bill. Two years later the funeral directors contacted Mrs R directly asking for the outstanding bill to be settled. The late Mrs E's account was now closed. Barclays had paid out all the funds in the account to the executors who also happened to be the beneficiaries. Mrs R was both. Mrs R said Barclays had never notified her that it hadn't paid this bill when it should have done. Mrs R said she had spent all the account funds and complained to Barclays asking it to pay the outstanding amount as it should have done originally.

Barclays declined. It said it had never received a death certificate and because of this it hadn't been in a position to settle the bill from the funeral director. Mrs R brought a complaint with the other executor on behalf of the estate of Mrs E.

In my recent provisional decision, I said:

"Mrs R said enough evidence was given to Barclays at the time to allow it to pay the funeral bill. She said she did pass on the death certificate and said that at no point did Barclays tell her that it hadn't settled the funeral bill. Mrs R said she no longer has the funds to pay the outstanding bill.

Barclays said, "no documentation is sent to next of kin setting out the process." It said its website states the need for sight of a death certificate to close an account. Barclays said it received a grant of probate and this was required due to the account balance. But it said at this point it was able to act on the account based on the grant of probate and it didn't need the death certificate at this stage.

Barclays said the funeral bill was issued on 7 April 2021 and Barclays got a copy of this 14 April 2021. Barclays accept its bereavement team was asked to pay the funeral bill at the time but said it didn't have a death certificate. Mrs R said she gave two copies of this on two separate occasions to her local Barclays Bank branch and then sent a third by post. Barclays said it never received any of these. It said two letters were sent to Mrs R requesting the death certificate so it could process the funeral bill. The Barclays bereavement team contacted the local branch to get copies of the supporting documentation but when these arrived they didn't include a death certificate.

Barclays said the bank account money was paid into an executor account for the beneficiaries. It said Mrs R called numerous times chasing the closure process but made no further mention of the funeral bill. Barclays said it distributed the funds from the account on

28 June 2021 without the death certificate. It said there were no funds left to pay the funeral bill now.

Barclays said it had been able to take certain actions based on the grant of probate so it seems a little odd that it could release all the funds but couldn't pay a bill for a much smaller amount. Barclays knew that it had been requested to settle any bills that came its way on behalf of the estate. But it didn't and according to Mrs R it didn't let the estate know it hadn't paid the bills either. I think it would have been reasonable for Barclays to have notified the estate of this issue when it released the funds to the beneficiary executor account. However, any bills are down to the estate, and it's the executors who are required to check and make sure all debts have been paid.

The estate was and still is responsible for the outstanding amount. At the time the funeral bill was passed to Barclays as it was holding the estate funds it should have paid it and the amount should have been deducted from the account of the late Mrs E then.

But the amount is owed by the estate and not by Barclays. So, despite Barclays mistakes it isn't responsible for the outstanding funeral bill. I don't think it would be reasonable for me to ask Barclays to pay this.

Distress & inconvenience

But I don't think Barclays acted fairly or reasonably in this case either. It didn't carry out an instruction at the time and I've not seen enough evidence that shows it made the position clear to the estate.

Rather than the individuals or the beneficiaries the estate has been inconvenienced by Barclays as the estate will now have to deal with the funeral bill and the work that entails. Because of this Barclays should pay £250 compensation for the inconvenience it has caused to the estate."

Responses to my provisional decision

Mrs R called and spoke to our investigator. Mrs R checked if it was possible to provide more information to be considered and our investigator confirmed it is.

Mrs R asked about the process of the case going to decision and our investigator explained how the process works. As the parties didn't accept our investigator's view Mrs R's complaint continued to the ombudsman decision stage.

Our investigator explained further the details of the provisional decision and the options Mrs R has if she chooses to accept or decline the decision.

Mrs R confirmed she was going to talk to the other executor on behalf of the estate to see if they have any further information to add before the final decision.

No further information or evidence has been received from Mrs R or the other executor.

Barclays didn't respond.

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.

After seeing the details of Mrs R's call to our investigator I left a little more time before issuing this decision just in case any further new evidence was sent in.

But nothing more has been received so I see no reason to change my provisional decision and so it becomes my final decision.

Putting things right

- Pay £250 compensation for distress and inconvenience.

My final decision

I uphold this complaint.

I require Barclays Bank UK PLC to:

- Pay £250 compensation for distress and inconvenience.

Under the rules of the Financial Ombudsman Service, I'm required to ask the estate of Mrs E to accept or reject my decision before 14 March 2024.

John Quinlan
Ombudsman