

The complaint

Mrs S is a vulnerable customer, and she complains about Barclays Bank UK PLC delaying a cheque stamp causing her inconvenience, distress and a financial loss.

What happened

I issued a provisional decision on 16 March 2024, and this is what I said:

I've considered the relevant information about this complaint.

Based on what I've seen so far, there will be a slightly different outcome to what our investigator proposed.

Before I issue my final decision, I wanted to give everyone a chance to reply.

I'll look at any more comments and evidence that I get by 30 March 2024. But unless the information changes my mind, my final decision is likely to be along the following lines.

The complaint

Mrs S is a vulnerable customer, and she complains about Barclays Bank UK PLC delaying a cheque stamp causing her inconvenience, distress and a financial loss.

What happened

Mrs S is a vulnerable customer represented by Mr B who is her grandson. She is elderly and Mr B who supports Mrs S and represents her in this complaint, says she is 'almost blind and almost deaf'.

Mrs S pays her bills by direct debit and her grandson assists her by withdrawing cash. Mrs S though issues cheques, and she takes pleasure in gifting these to her grandchildren. But when she issues cheques, these get rejected because her signature doesn't always match. As a reasonable adjustment Barclays said they could issue her with a signature stamp, but this was delayed.

This delay was inconvenient and caused upset and a financial loss. This is because Mrs S couldn't send gift cheques and as her balance remained higher than it should've it resulted in her housing benefit application being declined.

With the assistance of Mr B, Mrs S complained to Barclays about the stamp taking seven months to be issued and is looking for £8,500 compensation:

- *£5,000 compensation for the distress and inconvenience*
- *£3,500 compensation for estimated housing benefit loss*

Also, Mrs S feels she has suffered discrimination.

Although Barclays agreed there'd been a delay and upheld her complaint, they said the period of delay was a couple of months and paid £100 compensation.

On Mrs S's behalf, Mr B brought her complaint to our service, and our investigator thought Barclays should increase their compensation offer by £100.

Mrs S was dissatisfied, so this case was referred to me to look at.

I issued a provisional decision on 25 February 2024, where I set out with reasons, my initial thoughts on this complaint and what I was intending to decide. The following are extracts from my provisional decision:

What I've provisionally 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'm not upholding this complaint and I'll explain why.

Our role is to consider each individual case and, where we think a business hasn't acted fairly and / or reasonably in the circumstances, to decide what should be done to put right any financial, or non-financial losses that a consumer has experienced. However, although I recognise the inconvenience and distress caused to Mrs S's grandson and family, including a delay in receiving gift cheques, I'm only able to consider the impact on the account holder which is Mrs S.

Regarding whether Barclays have discriminated against Mrs S who is visually impaired, the relevant law in this matter is the Equality Act 2010. Under the Equality Act 2010, businesses must take reasonable steps to remove barriers people face as a result of their disability so that, as far as possible, people with disabilities receive the same service as people who don't have a disability and are therefore not placed at a substantial disadvantage. However, it's not for this service to judge whether Barclays have breached the Equality Act 2010 here, as that's an issue for the courts. I can though take into account any relevant law and wider industry practice when deciding whether Barclays treated Mrs S fairly and reasonably in the circumstances of this complaint.

Barclays don't dispute that there was a delay in issuing a cheque stamp. So, to consider a fair and reasonable amount of compensation, I looked at the length of delay and the impact this had on Mrs S.

I found the period of delay to be approximately 8 weeks. I say this because:

- The processing time is 2 to 3 weeks.*
- Although the stamp was requested on 11 March 2023 an identification and verification issue meant the processing time didn't commence until 8 April 2023.*
- The stamp should've been issued by 1 May 2023.*
- The stamp was issued on 27 June 2023.*

Regarding the approximate 4 week delay between 11 March 2023 and 8 April 2023:

- Barclays have responsibilities to protect customers from fraud and scams.*
- There is no evidence of an LPA*
- File notes show that Barclays explained that they couldn't order the stamp until additional security checks were completed. They discussed a requirement to first order a new telephone banking passcode and then see her bank card, but the call was unfortunately disconnected, and these factors contributed to a delay.*

Regarding the impact on Mrs S, I recognise that Mrs S requires support and that, despite the help that she gets from her grandson and other family members, using a bank card in shops and calling Barclays are extremely difficult for her. However, she has been able to pay bills by direct debit and get cash. Also, Barclays have recommended an LPA which could help her with telephone banking to pay other banks.

However, as direct debits can be set up and cash withdrawn, I think there were alternative ways that Mrs S could've still made payments, gifted her money and / or reduced her balance whilst waiting for the stamp. For example:

- *An electronic payment could've been arranged in the way a direct was arranged or, if that wasn't possible, a family member could receive the cash and / or send the funds to a payee.*
- *Customers can, if they wish, arrange an LPA so payments can be made where they have difficulties using the range of available banking options such as visiting a branch or using internet or telephone banking.*

So, having considered the period of delay, together with the impact on Mrs S and all the information on file, I consider Barclays' £100 compensation payment to be both fair and reasonable and I'm not upholding this complaint.

My provisional decision

For the reasons I've given above, it's my provisional decision not to uphold this complaint.

I'll look at anything else anyone wants to give me – so long as I get it before 10 March 2024.

Unless that information changes my mind, my final decision is likely to be as I've set out above.

What I've provisionally 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.

Mr B expressed the following dissatisfaction with my provisional decision:

- *He said he didn't think I had 'a grasp on what has really happened and the effect (or he doesn't want to understand). We've waited months and months for him to come back to us but the response is inadequate and unprofessional'.*
- *Concerns about my wording which included my summary of the housing benefit issue, mention of family members and LPA.*

Mr B also submitted more information about the impact on Mrs S of both:

A. The delay in issuing the stamp

B. The effectiveness of the stamp

Regarding point B he said:

- *'That as of today, my grandmothers cheques are still cancelled whether she uses the official Barclays stamp or if she tries a signature? Does he realise after over a year there is still no solution to this. Every stamped cheque which is sent to any bank apart from Barclays is cancelled and she gets a letter saying 'cheque not signed in accordance with bank mandate'. SHE STILL CANNOT SPEND HER OWN MONEY BY WRITING A CHEQUE. NOTHING HAS CHANGED!'*

As this complaint is about point A I asked our investigator to refer this to Barclays. Barclays provided some information and said:

- *'Without looking into this in much detail, as this would be a new complaint point there appears to have been two unpaid cheques, one in October 2023 and the other in November 2023, however many cheques have also been paid too. One of the cheques has been signed using the signature stamp and the other is handwritten'.*

From reviewing this, together with the file and our procedures, whilst I'm sorry to hear about this issue and appreciate my answer will probably add further frustration and appear unhelpful to Mrs S and her difficult situation, I'm in agreement with Barclays that the complaint about the effectiveness of the stamp is a separate matter. So, Mrs S, with Mr B's assistance, should discuss the matter with Barclays and if this can't be resolved, consider raising a separate complaint with our service.

Following Mr B's correspondence, I considered everything again and I've revised this second provisional decision to partially uphold this complaint.

Although there is a concern about the effectiveness of the cheque stamp, there is information that Mrs S has been able to use it to some degree. And because the stamp was a reasonable adjustment to support Mrs S, who is vulnerable, I'm satisfied that the impact of the delay has caused her inconvenience and distress. So, I don't disagree that Barclays should pay Mrs S some compensation here for the inconvenience and distress the delay caused.

Regarding compensation for inconvenience and distress of the delay, assessing compensation isn't an exact science and our approach when making awards for non-financial loss is detailed on our website and tends to be modest.

Regarding compensation for the financial loss because Mrs S didn't qualify for housing benefit, although I understand Mrs S wishes to keep her independence and recognise it's her prerogative to still request an LPA, I still think that there were other options for account payments and the loss here could've been mitigated.

I recognise Barclays provide a cheque service and this is what Mrs S wishes to use to send payments alongside celebratory cards and that this and a cheque stamp adjustment is important to her. Mr B says this is still problematic, was curtailed during the period of delay and, due to the size of her family, other payment methods were impractical. Whilst I appreciate this, when considering that alternative payments such as telephone banking were available, although undesirable, the importance of the cheques and period of time, I think Barclays compensation payment is fair and reasonable.

But Mr B raises the issue of poor service levels, and I noted that Mrs S had to call Barclays back a number of times to chase the stamp.

So, having considered the above and the file again, I'm partially upholding Mrs S's complaint and I agree with our investigator that a fair and reasonable amount of compensation for this the stamp delay and level of service should be £200.

My provisional decision

For the reasons I've given above, it's my provisional decision to partially uphold this complaint.

I require Barclays Bank UK PLC to pay Mrs S £200 compensation less any amounts already paid.

I'll look at anything else anyone wants to give me – so long as I get it before 30 March 2024.

Unless that information changes my mind, my final decision is likely to be as I've set out above.

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.

Both parties responded to my second provisional decision.

Barclays said they had nothing further to add.

Mr B, on behalf of Mrs S, expressed dissatisfaction. This is because the stamp adjustment is ineffective, with cheques still being declined and having a detrimental impact on Mrs S. Mr B thinks it is nonsensical for the effectiveness of the stamp to be a separate and new complaint and he would like 'Barclays to go back over the last 6 months and count the

number of cheques THEY refused'. He adds that the original complaint was about not being able to use a chequebook and he doesn't have time to start a new complaint about the same thing.

Also, Mr B is completely baffled as to why it is not being accepted that Mrs S 'has lost housing benefit because of Barclays' and thinks I'm not being impartial.

So, I considered everything again, focussing on Mr B's points.

Mrs S required Barclays to quickly implement a reasonable adjustment, in the form of issuing a cheque stamp, due to her cheques being rejected as her signature didn't match. And the original complaint was about this reasonable adjustment being delayed and the detrimental impact upon Mrs S.

When the complaint was brought to our service this reasonable adjustment hadn't yet been implemented. I am sorry to hear that, after implementation, the cheque stamp doesn't meet Mrs S's expectations and it appears to be ineffective when cheques are paid to other banks.

However, Barclays haven't had the opportunity to fully consider and respond to this complaint so, although I appreciate Mr B says Mrs S still can't issue cheques, our service is currently unable to consider the effectiveness of the reasonable adjustment.

I recognise the frustration at being asked to submit a new complaint to Barclays at this stage of our process, however this can be done through our investigator.

Regarding Mr B being baffled as to why it is not being accepted that Mrs S 'has lost housing benefit because of Barclays', this is because I think that there were other options for account payments and the loss here could've been mitigated.

So, for the reasons mentioned above, and in my provisional decision, having considered everything again, my final decision is to:

- Partially uphold this complaint
- Require Barclays Bank UK PLC to pay Mrs S £200 compensation less any amounts already paid

My final decision

- My final decision is to partially uphold this complaint and I require Barclays Bank UK PLC to pay Mrs S £200 compensation less any amounts already paid

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs S to accept or reject my decision before 7 May 2024.

Paul Douglas
Ombudsman