

## **The complaint**

Ms M complains as the administrator of the estate of Ms V, her sister, that National Westminster Bank Plc hasn't closed and transferred the funds from the late Ms V's account.

## **What happened**

Ms V sadly died in March 2023. As the administrator of her estate Ms M says that she started the process for releasing the funds in the bank account with NatWest in May 2023. However the funds couldn't be released until letters of administration were issued in March 2024. Ms M says she sent the account information, and the letters of administration, along with identification documents. She says she was then told by NatWest that everything was in order and it would close the account and transfer the funds within approximately ten days.

In fact this didn't take place, as NatWest had not received all the necessary information. It sent a final response letter to Ms M in June 2024. It apologised for not giving her the right information and paid £200 compensation. As Ms M lives overseas, it set out the specific requirements for overseas customers. It also pointed out that it required a sealed copy of the letters of administration document (which was issued in the UK).

I understand that since receiving the letter Ms M sent some documents in. These included certified copies of her ID document, a bank statement and the letters of administration.

On referral to the Financial Ombudsman Service, our Investigator said that she thought that NatWest had acted appropriately in sending £200 compensation and in advising Ms M what documents were needed.

The matter was referred to me for an Ombudsman's consideration. I asked NatWest to set out what documents had received from Ms M and what it still required. Regrettably I think its response provided in this respect is a bit vague. It said it had written to Ms M but was unable to supply to us a copy of the latest letter. It said that its final response outlined what is required from the customer and has yet to be provided. It said the issue lies with the identification not being certified in line with its requirements as outlined in the final response.

I issued a provisional decision. In it I said that NatWest should set out precisely what further documentation it required from Ms M.

NatWest said it didn't have anything further to add.

Ms M has advised us that she has recently been in contact with NatWest and it had advised her that the probate document she had supplied was not fully certified in accordance with its requirements, particularly over the holographic seal. Ms M says she had to pay £250 to get a newly certified document. She believes that this extra expense was incurred owing to NatWest changing its requirements. She requested full clarity on any further requirements.

## **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.

My provisional findings are set out below, in italics:

*“I must first of all advise that Ms M complains as administrator of the estate of Ms V. As such I'm unable to award compensation for distress or inconvenience as she is not the complainant. I appreciate that NatWest has paid her £200 compensation but I can't comment on the reasonableness or otherwise of that payment.*

*In respect of NatWest's dealings with Ms M, I do think that up until its final response letter of 11 June 2024 that it had acted reasonably. But it has not made it clear exactly what documentation it required. I understand that Ms M had an issue with being told that she should receive the funds within 10 days and then being told that for overseas customers this could be up to 45 days. However I think that NatWest has explained the position properly in its aforesaid letter so I won't make any further finding in that respect.*

*I understand that overseas customers are required to produce evidence of identification as follows: a copy passport duly certified and a copy bank statement or utility bill, also duly certified. Ms M produced a copy ID card, which would usually be accepted in lieu of a passport. It has been certified by an English solicitor. She also produced a copy bank statement with a translation, again certified by the solicitor. I understand that she also sent the copy letters of administration. Though I am unclear whether that was a sealed copy.*

*So I don't know what documents NatWest still requires, and as I've said it has been rather vague in its response on this point. I intend therefore to direct it to set out what it now requires.*

*As I've said I can't award compensation to Ms M in her capacity as an administrator. Although she had to pay to have her documents certified, which is a financial cost to the estate, that is a result of NatWest's requirements, which apply to all overseas customers. So I don't think that that is unreasonable, or a sum I can fairly ask NatWest to reimburse to the estate.”*

Ms M raised her complaint with this service on 1 July 2024. I should emphasise that our function is to resolve complaints, and we can't assist with finalising the closure of the account. So in respect of Ms M's continued communication after that date with NatWest, whilst I understand that she believes the estate has been put to unnecessary expense, that is a matter she will have to take up with NatWest so that it can investigate it.

If this was the only outstanding matter I might have been prepared to consider it. However it seems to me that further issues may arise. Once the account with NatWest is closed and the estate has received the money, if Ms M alleges any loss at that stage that would be the appropriate time to put it to NatWest to consider it.

I should emphasise again that, as far as this service is concerned, we can't make an award of compensation for distress and inconvenience.

I remain persuaded by my provisional findings, as set out above. Those findings are now final and form part of this final decision.

### **Putting things right**

NatWest should set out precisely what documents it still requires from Ms M to release the funds in the account, and how it requires them to be certified. If it does now have all the necessary documents it should confirm this with Ms M.

**My final decision**

I require National Westminster Bank Plc to provide the remedy set out under “Putting things right” above.

Under the rules of the Financial Ombudsman Service, I’m required to ask the estate of Ms V to accept or reject my decision before 23 December 2024.

Ray Lawley  
**Ombudsman**