

## The complaint

Ms H complains that Shawbrook Bank Limited wouldn't accept a certified copy of her lasting power of attorney (LPA).

## What happened

Ms H is represented in this complaint by her daughter who has an LPA allowing her to manage Ms H's affairs. Her representative explains that she needed to manage Ms H's ISA account at Shawbrook Bank. But that it wouldn't accept a certified copy of the LPA as the solicitor who certified it in 2018 was no longer practising. She says that other financial businesses have accepted this including one just at the same time Shawbrook Bank rejected it. And it had said that it would consider the position but hadn't responded further.

Shawbrook Bank said it hadn't made a mistake as it had followed its policies.

Our investigator didn't recommend that the complaint be upheld. She said that this service doesn't have a role in reviewing and changing bank policies and processes. And we are looking here at the individual circumstances for Ms H. Our investigator noted that in the final response letter Shawbrook Bank had said that it could see that a "*valid argument*" had been made and it had provided feedback to the relevant department.

Ms H's representative said that she was disappointed by our response but that she understood we didn't have the power to change things. She said that it was an appalling policy, and it was disingenuous of Shawbrook Bank to say it was reviewing the position and then not provide anything further. Ms H's money had now been moved from Shawbrook Bank as a result.

She said that many people in future would be affected by this policy and especially those who had sensibly made arrangements in advance. And only to find later that their certified documentation wouldn't be accepted if a solicitor say involved was no longer practising. She explained that she wanted a final decision to highlight the issue.

## 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.

Our investigator has set out the scope of our role and I agree with what she's said. And so, it wouldn't be appropriate for me to comment on the policy of Shawbrook Bank. And specifically, that it doesn't accept documents certified by a solicitor in the past if the certifier is no longer practising.

I appreciate what's been said about the impact of that policy for Ms H and her representative. And the stress that they felt having put in place plans to manage Ms H's

finances in the future and not expecting that this could happen. I also note from their complaint form that Shawbrook Bank had asked that it be given some time to look into this matter before it was referred to this service. And I can understand the disappointment felt as there has been no response and no further substantive comment about this policy including to this service when Shawbrook Bank submitted its business file.

I'm looking here at the circumstances of Ms H's complaint and I'm afraid that for the reasons I've given I don't have a basis to require Shawbrook Bank to do anything further.

### **My final decision**

My decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms H to accept or reject my decision before 11 February 2025.

Michael Crewe  
**Ombudsman**