

## The complaint

Miss A has complained that the internal processes used by Barclays Bank UK PLC (Barclays) when she requested that the name on her account be updated led to her being unfairly treated due to her gender identity status.

## What happened

In August 2024, Miss A visited a Barclays branch to update her first name and surname on her bank account. In support of this, she provided a copy of her unenrolled deed poll document showing her recent name change and her passport in her previous name. However, Barclays told Miss A that in order to amend both her first name and her surname, she was required to provide photographic ID in her new name.

In September 2024 Miss A complained to Barclays about this matter via the Barclays web chat. The complaint handler confirmed that if a customer wanted to change only their surname or title, then photographic ID in their new name would not be required. However, for customers wishing to make any name changes that included their first name or middle name, Barclays' policy required a government-issued photographic ID document to process this request. Miss A was concerned that these different requirements were likely to disproportionately impact members of the trans community, and believed that she had been treated unfairly due to this.

Unfortunately, Miss A's complaint was not correctly logged by the complaint handler during or after the web chat. As such, Miss A subsequently contacted Barclays again to raise her complaint. I understand that Barclays has already acknowledged this specific issue, and paid Miss A £50 to compensate her for this inconvenience.

On 21 October 2024 Barclays contacted Miss A by telephone to let her know that her request might be deemed exceptional circumstances, and that legal guidance was being sought on this point. However, separately from this, Miss A successfully updated her account details in a Barclays branch later that month using newly obtained photographic government ID.

In early November Barclays called Miss A again to let her know that an exception had been agreed to allow her to change her name using her previous ID and deed poll document (i.e. the paperwork Miss A had originally provided in August). However, as Miss A's account details had already been updated by this point, this agreed exception was no longer relevant.

Miss A was unhappy about this sequence of events, and also felt that her circumstances should've been accommodated as standard, rather than by exception. Barclays continued to defend its wider policy. As such, Miss A referred her complaint to this Service on 7 November 2024.

Our investigator upheld Miss A's complaint and found that Barclays hadn't treated Miss A fairly. As such, our investigator said Barclays should pay Miss A an additional £300 to compensate her for the distress and inconvenience she had experienced.

Barclays accepted our investigator's view. However, Miss A felt that the sum of £300 was insufficient to compensate her for the distress and inconvenience she had suffered as a result of this matter, and so she did not accept the view. As our investigator was unable to resolve things, the complaint has been passed to me for a final decision.

### **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.

The parties to this complaint are not in dispute about the facts of the case, or the events that led to Miss A referring her concerns to this Service. Our investigator has argued that Barclays is at fault because its policy for changing a first name, for example, appears to require a more rigorous standard of documentation than would be required to change a surname, and insufficient explanation for why this additional rigour is justified has been provided. Given that trans customers, as a group, are more likely to want change their first names than customers in general, our investigator said that this policy appears to represent a barrier that cis customers are less likely to encounter.

It is not within my remit to direct any changes to Barclays policy, or indeed to make findings about its policies on groups of customers. My sole role here is to make a finding on the facts of this individual case. But I agree with our investigator that in this case Miss A does appear to have faced a higher barrier to updating her name than she might've done had she been simply trying to amend her surname after marriage, for example. And, having reviewed everything that has been submitted in this case, I've not seen sufficient explanation to persuade me that this higher barrier was necessary or justified. In addition, I note Miss A repeatedly requested a reasonable adjustment to the process in order to accommodate her circumstances and, after further reflection, Barclays decided that it would've been possible to accommodate Miss A's request based on the documentation she originally supplied after all. However, this decision was not reached until after a number of months had passed and by this point it was too late to be relevant or of use to Miss A.

Barclays has already accepted our investigator's view, so the key point of dispute that remains is that Miss A feels that the award made by our investigator doesn't adequately reflect the distress and inconvenience she has experienced as a result. Specifically, Miss A has told us that she felt humiliated and embarrassed, and that during the period in which these events were taking place, she twice attempted to take her own life, and engaged in multiple acts of self-harming – and that these responses were all a direct response to the events raised in this complaint.

I am deeply sorry to hear that Miss A has experienced such distress and I have no doubt that this matter has had a significant impact on Miss A. Due to the transphobia that is unfortunately still present in many aspects of our society, it is a sad truth that - as a trans woman - Miss A is likely to have had to fight harder to ensure that her authentic female gender is accepted and respected. This ongoing struggle has a cumulative impact on many trans people, which is one reason why any individual instance of misgendering or failure to recognise a trans person's authentic gender can be so hurtful and impactful.

So, I take what has happened here very seriously. However, to be fair to both parties, I must also think carefully about the extent to which Barclays is likely to be directly responsible for the impact on Miss A. Although I do not doubt Miss A's testimony about the significant distress she has described, I am not persuaded that the acts of self-harm and attempted suicide were likely to have been solely and entirely prompted by the events of this particular case. The extreme level of distress she has described suggests to me that Miss A is likely to

have been experiencing other challenges which exacerbated matters or impacted her resilience (for example, I note that Miss A mentioned a severe threat from her family if her gender identity were to be revealed, which potentially could've been a source of significant stress and upset, regardless of Barclays' actions). So, much as I sympathise with Miss A's unhappiness regarding this complaint, I cannot agree that full responsibility for the acts of self-harm she has described can be reasonably attributed solely to Barclays.

I do, however, note Miss A's testimony that she felt both humiliated and embarrassed, and I think this most likely does flow directly from how Barclays handled this matter, and indeed that this impact should've been reasonably foreseeable. In addition, I note that Miss A was inconvenienced by having to wait for several months after first making her request for it to be implemented, as well as having to make at least one additional trip to her branch. As such, I've thought carefully about what level of compensation would be appropriate to reflect both the distress and the inconvenience that Miss A has suffered as a direct result of the issues raised in this complaint. And I believe that the £300 our investigator has recommended is appropriate in this case.

Miss A may think that £300 is a relatively small amount of compensation and, therefore, that this indicates that her complaint is viewed as a minor or unimportant issue. I'd like to specifically reassure Miss A that this is not the case, and that her complaint has been taken seriously and given due weight. However, this Service's remit does not extend to making punitive awards against businesses, and – as there is no direct financial loss in this case – any redress I award here is limited to distress and inconvenience only.

While I extend great sympathy to Miss A for the distress she has suffered, it must also be acknowledged that translating distress into a financial sum is a subjective matter. As such, awards made for distress and inconvenience by this Service are typically modest. And so, while I in no way mean to minimise Miss A's complaint or the impact it has had upon her, £300 is in line with the compensation I'd expect to see awarded for distress and inconvenience in a case of this nature. This means I'm not increasing the award made by our investigator.

### **Putting things right**

Barclays Bank UK PLC should Pay Miss A £300 (in addition to the £50 it has already offered in relation to the initial failure to log her complaint) to compensate her for the distress and inconvenience caused as a result of this matter.

### **My final decision**

My final decision is that I direct Barclays Bank UK PLC to compensate Miss A in line with the award set out above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss A to accept or reject my decision before 19 March 2025.



Ellie Clare  
**Ombudsman**