

The complaint

Mr G is bringing the complaint on behalf of the estate of Mr C. He has done all the work and for ease I will refer to Mr G where possible throughout this decision.

Mr G is unhappy with National Westminster Bank Plc's handling of his request to open a joint executors account to deal with the estate of the late Mr C.

What happened

Mr G said he complained to NatWest in branch in August 2020. He said he followed up in writing in October 2020. Mr G said there were issues with a solicitor he had employed to deal with the estate. But said if NatWest had opened the requested executors account the executors would have had all the funds under their own control. Mr G said but for NatWest the executors could have taken matters over and paid off bills and legacies. He concluded there would have been very little left to sort out.

Mr G said he never got an explanation from NatWest about what was going on. Nothing by phone, email, or letter. Mr G said he dealt with the branch manager and obtained details of Mr C's account once he had provided details of the will and death certificate. Once Mr G had completed the relevant forms along with his fellow executor nothing further happened. Mr G had further meetings with the branch manager but couldn't get straight answers or find out exactly what was going on. It was difficult for Mr G to get to branch due to a previous accident and he got fed up trying. Mr G said there was also significant exchange rate losses incurred paying some of the will beneficiaries. He brought the complaint to this service.

Our investigator didn't uphold the complaint. She said NatWest accepted it hadn't engaged with Mr G's complaint when he first raised it. Our investigator noted it apologised and offered £300 compensation for its failures throughout. She said she couldn't consider this as it was about NatWest's failure to investigate, and complaint handling isn't a regulated activity. She also said this service couldn't look into losses suffered through exchange rates as the loss applied to the beneficiaries rather than the estate. Our investigator said NatWest had no record of any application for an executors account. She noted NatWest made unsuccessful attempts to contact Mr G in 2023 to guide him through the executor account application process.

Mr G didn't accept this. He asked for the complaint to be passed to an ombudsman 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.

I appreciate all the evidence and effort Mr G went into to provide details of the complaint. I've read and considered all the information provided but I'm only going to comment on what I think are the essential main elements and issues involving NatWest.

Mr G said the reason for asking NatWest to open the executor account was because he was *“ultra cautious.”* It also meant monies wouldn't have to go through the solicitor and the executors would make all payments. But he said NatWest made this impossible.

Mr G said NatWest didn't really engage with his complaint until his MP got involved and evidence does show that. As NatWest did respond to Mr G's MP in September 2024.

NatWest apologised for the delays in responding to Mr G. But it said due to the length of time involved it wasn't able to find out what went wrong. NatWest said it had asked its Customer Support Specialists to contact Mr G to guide him through the application process now. It paid £300 compensation into Mr G's current account to further apologise and to acknowledge *“the administrative challenges brought about by the lack of an Executor account.”*

NatWest said it attempted to contact Mr G by phone and by email. It said Mr G was sent emails *“on 13 February, 21 February and 5 March 2024 asking when it would be convenient to contact him and discuss his complaint.”* It said Mr G hadn't come back with a suitable time for a call.

NatWest said it was unable to establish what issues Mr G faced and why the executor account couldn't be opened. It couldn't find an application for the account so it couldn't work out why it wasn't completed.

To add to the issues around information available on this complaint the branch that Mr G originally visited is now closed.

It does seem odd that there was quite a long period of time where nothing happened after the executors had provided their details to set up the executors account. Mr G has suggested some reasons why this might have been, but I'm unable to speculate on why nothing further happened.

NatWest did accept it hadn't dealt with opening an account or keeping Mr G up to date on what was happening when he complained. So, it apologised and paid the £300 compensation.

It's clear Mr G was in correspondence with the local branch manager but there's no evidence to show any action took place.

Regarding exchange rates I think our investigator rightly pointed out any loss affected the beneficiaries rather than the estate, so this service couldn't look at a dispute on this specific point.

I think what NatWest has now done is a fair and reasonable outcome in the circumstances the parties find themselves. There's no record of any application for the account. There's no correspondence from the bank explaining at the time what was going on or even that an application was in progress. I'd expect to see something either confirming the application was being considered or declined, but there's nothing. So, I can't expect NatWest to do anything more than what it has already done to put the situation right. Mr G himself said at the start of this, the problem occurred years ago and can't be rectified now.

It's clear from correspondence that Mr G has found the whole situation frustrating and distressing. But as he is an executor for the estate, the complaint is about the estate rather than him personally. So, I'm not in a position to ask NatWest to increase the compensation it has already offered and paid to Mr G.

My final decision

I don't uphold this complaint.

I make no further award against National Westminster Bank Plc.

Under the rules of the Financial Ombudsman Service, I'm required to ask the estate of Mr C to accept or reject my decision before 3 April 2025.

John Quinlan
Ombudsman