

## **The complaint**

Mr M complains Barclays Bank UK PLC (“Barclays”) closed his accounts unfairly for alleged abusive behaviour when it was aware of his disability and vulnerabilities. Mr M adds Barclays have discriminated against him because of this, and that it didn’t properly notify him of the closures.

## **What happened**

The details of this complaint are well known by both parties, so I won’t repeat them again here in detail. Instead, I’ll focus on setting out some of the key facts and on giving my reasons for my decision.

In July 2024, Barclays determined Mr M had been abusive on a call with one of its agents and so decided to close his accounts with 90 days’ notice. Barclays says it sent Mr M a letter notifying him of this on 4 July 2024. Mr M says he didn’t receive it.

Mr M had several accounts with Barclays which included a basic bank account, a current account, savings’ accounts, and child’s savings’ accounts for his daughter. Mr M says he didn’t know about the closures as he didn’t receive notice. So, when one of his debit cards stopped working, he raised this with Barclays.

Barclays extended the closure notice by two more weeks. In its letter dated 8 October 2024, Barclays said it was unable to reach Mr M to discuss moving his banking away from it because it appears he hasn’t done so.

Unhappy with Barclays’ actions, Mr M complained. Barclays didn’t uphold Mr M’s complaint. In summary, the key points it made in its final response were:

- Following a review of Mr M’s account, Barclays decided to close it. Having reviewed the decision, it was made correctly, and Barclays isn’t able to provide Mr M with its guidelines for doing so. Barclays’ terms and conditions allow it to close an account with two months’ notice and sometimes with less notice.
- Mr M’s accounts are due to close on 23 October 2024, and he should use this time to make alternative banking arrangements.
- Barclays hasn’t discriminated against Mr M.
- Mr M should request a new debit card for one of his accounts, but he can only use it until 21 October 2024 when the accounts will be closed.
- Barclays did attempt to call Mr M on 8 October 2024 to go over CASS (Current Account Switch Service) but was unsuccessful in doing so. Mr M should contact Barclays if he needs help with this.

Mr M referred his complaint to this service. One of our Investigator’s looked into it, and as part of their investigation they asked both parties for more information.

Mr M said he was able to get another account with a different provider in October 2024 with the help of a friend. He added that he does have problems with his post whereby he doesn't always receive letters that are sent to him. Amongst other things, Mr M also explained the medication he takes for his conditions, and that he suffers with severe anxiety and stress disorder which affects his ability to communicate with people.

Barclays shared its internal notes which show it had noted Mr M's vulnerabilities. Specifically, that his mental health regularly affects his mood, thinking, and behaviour - and it's hard for him to manage. And that he has mobility issues and needs to be spoken to clearly and slowly. Barclays say it took these care markers into account when deciding to close Mr M's accounts, but the abusive behaviour he exhibited, particularly on a call on 3 July 2024 could not be tolerated. Barclays sent call recordings to this service to support its position.

Our Investigator recommended Mr M's complaint wasn't upheld. In short, they made the following key findings:

- The nature of abuse from Mr M on the call of 3 July 2024 was excessive. Barclays were therefore entitled to close the accounts as it was in line with its terms and conditions. And having listened to several call recordings, Barclays demonstrated awareness of Mr M's vulnerabilities by not closing the accounts earlier.
- Mr M's behaviour on 3 July 2024 went well beyond what's acceptable, even when considering his vulnerabilities. Barclays had logged Mr M's vulnerabilities on its files and took these into account when deciding to close the accounts.
- By giving Mr M 90 days' notice, and then extending it by two weeks, Barclays treated him fairly and provided ample time to make alternative arrangements.
- They're satisfied Barclays sent the letter in July 2024 notifying Mr M of the account closures. Barclays can't be held responsible for any postal issues.
- Mr M is unhappy that a debit card payment was declined on 7 October 2024 causing him embarrassment. This was likely an error given Barclays agreed to extend the closure date until 21 October 2024. But Mr M still had the use of his other account's debit card which was used up until 16 October 2024 by which time Mr M had brought the balance to nil. So, any impact to Mr M was relatively minor.
- Mr M says Barclays discriminated against him. But it has acted fairly and reasonably.

Mr M didn't agree with what our Investigator said. Mr M said his complaint has been misunderstood. And that he's still unhappy he didn't receive the closure notification from Barclays and didn't receive any assistance from it in opening another account.

Our Investigator explained that having listened to Mr M's calls they were satisfied he's complaining about the account closures. That Barclays didn't need to assist him in opening another external bank account, though it did attempt to call him to help with the switch process.

Mr M then made the following key points for an ombudsman to consider:

- His complaint is that Barclays failed to assist in making the transition and didn't notify him appropriately or mention his accounts were going to be closed when it knew about his vulnerabilities.

- The Investigator ignored the fact Barclays closed one of his accounts before the 21 October 2024 and moved all his funds into the other account. This was contrary to what he was told by Barclays in that he would be able to use his card and banking app as normal until the 21 October 2024.
- Mr M needed two accounts open as it helped him manage his funds when his daughter was staying with him on the weekends. Having one account messed up Mr M's financial planning and the way he works given his mental health and neuro diverse conditions. So, Barclays have clearly discriminated against him.
- Mr M was also grieving for a close relative which contributed to the argument he had with Barclays. It's also been overlooked that Barclays' staff spoke to Mr M inappropriately and belittled him.

As there was no agreement, this complaint has been passed to me to decide.

### **What I've decided – and why**

I'm very aware that I've summarised the events in this complaint in far less detail than the parties and I've done so using my own words. No discourtesy is intended by me in taking this approach. Instead, I've focussed on what I think are the key issues here. Our rules allow me to do this. This simply reflects the informal nature of our service as a free alternative to the courts.

If there's something I've not mentioned, it isn't because I've ignored it. I'm satisfied I don't need to comment on every individual argument to be able to reach what I think is the right outcome. I do stress however that I've considered everything Mr M and Barclays have said before reaching my decision.

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 have decided not to uphold this complaint. I'll explain why.

Barclays is entitled to close an account just as a customer may close an account with it. But before Barclays closes an account, it must do so in a way, which complies with the terms and conditions of the account. The terms and conditions of the account, which Barclays and Mr M had to comply with, say that it could close the account by giving him at least 60days' notice. And in certain circumstances it can close an account immediately or with less notice.

Barclays closed Mr M's accounts because it concluded his behaviour was excessively abusive; particularly on a call that took place in July 2024. I've listened to this call, and I've listened to other call recordings from Barclays. I've also reviewed Barclays' internal notes. Having done so, I'm satisfied that Barclays hasn't done anything wrong in deciding to end its banking relationship with Mr M.

There is an argument that Barclays should have given Mr M a warning- particularly given his disabilities and mental health conditions. But the severity of the abuse is enough for me to find Barclays acted fairly and reasonably in closing the accounts.

Barclays gave Mr M 90 days' notice, and I think that was enough for him to make alternative banking arrangements considering his vulnerabilities. I'm also satisfied this was in line with its internal processes.

Mr M says he didn't receive the first closure notification in July 2024. I note however that

when referring the complaint to our service in October 2024, Mr M sent in a copy of this letter. But if I were to put this aside, the letter is correctly addressed to Mr M.

I also think Barclays acted fairly by trying to help Mr M with switching his account albeit he didn't answer the phone. Barclays also considered Mr M's vulnerabilities when extending the closure date when he said he wasn't aware of the closures. I don't think it could've done more to support him.

I've also seen several call notes in which I can see Barclays' staff explained what support Mr M could turn to externally. I know Mr M feels strongly that his vulnerabilities, which Barclay knew about, meant he couldn't prevent his behaviour being abusive. But I wouldn't expect Barclays to continue a relationship which was harmful to its staff beyond the measures it did take to support Mr M.

I've already said Barclays tried to speak to Mr M about switching his accounts. I don't think it needed to do anymore to help facilitate the transition to new banking services.

I agree that Barclays likely made an error in cancelling one of Mr M's debit cards after it had extended the account closures. But Mr M did continue to have the use of one account, which I think mitigated any impact given the accounts were all shortly closing. I appreciate that this caused Mr M some inconvenience given how he wanted to manage his accounts. But I don't think, for the reasons I've given here, Barclays need to pay any compensation for this.

I'm sorry to hear Mr M was grieving for a very close relative when he spoke to Barclays in July 2024. If he needs any support with this from a fee free charity service, he should let our Investigator know who would be happy to signpost him to one. But this doesn't change my mind in terms of Barclays' decision to close his accounts.

Mr M has questioned Barclay closing the junior saving accounts for his daughter. But these were accounts Mr M controlled and was responsible for. So, I think Barclays have acted fairly and reasonably in treating these in the same way as his other accounts.

Mr M says Barclays discriminated against him based on his disability and vulnerabilities. I want to make clear I do not doubt how genuinely Mr M feels about this matter and the upset Barclays' actions have caused him. While I appreciate this is Mr M's perspective, it is not my role to decide whether discrimination has taken place as a matter of law – only the courts have the power to decide this. I have, however, considered the relevant law in relation to what Mr M has said when deciding what I think is the fair and reasonable outcome.

Part of this has meant considering the provisions of The Equality Act 2010. But after doing so, I've not seen evidence to indicate Mr M was treated unfairly.

### **My final decision**

For the reasons above, I have decided not to uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 11 April 2025.

Ketan Nagla  
**Ombudsman**