

The complaint

Mr S has complained about the length of time it took for Phoenix Life Limited to update its records to show his new bank account.

What happened

Mr S holds an annuity with Phoenix Life Limited (Phoenix). Mr S now lives outside of the UK. On 16 April 2024 Mr S wrote to Phoenix to say that because he no longer had a UK residential address he'd had to close his existing UK bank account. Mr S gave Phoenix details of his new bank account, which was held outside of the UK, and explained that he now wanted his annuity income to be paid into this new account.

Mr S also enclosed a copy of his latest bank statement with his letter to Phoenix. Mr S has said that he also sent Phoenix copies of documents to confirm his new bank account in April 2024 that had been certified as true copies by the police service from the country where he now lives.

Phoenix says that it received Mr S' letter on 19 June 2024 and then replied to him on 27 June 2024 to explain what documents it needed from him to change his bank details. Mr S wrote back to Phoenix in August 2024 enclosing further copies of documents to confirm his identity and his new bank details which had been certified as true copies by his accountant. Mr S then complained to Phoenix on 13 August 2024 about the length of time it was taking Phoenix to update his bank details.

Phoenix responded to Mr S' complaint on 14 August 2024 to say that it wasn't upholding his complaint. Phoenix said that the further certified copy documents it had received from Mr S weren't acceptable and told Mr S who would be acceptable to certify his documents. Phoenix also told Mr S that it would accept the certified documents by email rather than him having to post these.

On 4 October 2024 Mr S emailed Phoenix with copy documents certified by his lawyer. On 15 October 2024 Phoenix wrote back to Mr S to say that it had updated his bank details to show his new bank account.

Mr S wasn't happy with the response he'd received from Phoenix to his complaint, so he brought this to the Financial Ombudsman Service. One of our Investigators reviewed Mr S' complaint. Our Investigator's view was that Phoenix's requirement for it to change Mr S' bank account was not unreasonable as Phoenix needed to ensure that it was dealing with its correct customer. Our Investigator didn't uphold Mr S' complaint in their view.

Mr S didn't agree with our Investigator's view. He said that the delay caused by Phoenix in updating his bank details was unwarranted and had caused him financial hardship. Mr S said that he wanted his complaint to be referred to an Ombudsman.

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.

In June 2024 Phoenix told Mr S what documents it needed from him, and who it would find acceptable to certify copy documents, so that it could then change its records for the bank account that his annuity income was paid into. Phoenix told Mr S that it would accept the following:

“To proceed with updating the bank details on your policy, we kindly request the following certified documents:

- 1 . Written instruction of where you would like your annuity payments to be paid to.*
- 2. A certified true copy of a bank statement for the new bank details, dated within the last 3 months, clearly displaying your bank details alongside your name and address details.*
- 3. A certified true copy of your current passport, clearly showing your signature.*

These documents should be certified by one of the following authorised individuals:

- Official of an embassy, consulate, or high commission of the country issuing your passport.*
- Member of the judiciary.*
- Serving customs officer.*
- A practicing Lawyer or notary public.*
- An active Director, accountant, bank manager, officer, or manager of a regulated financial services business”.*

I think it was reasonable for Phoenix to specify what documents it needed, and who it would accept to certify copies of these documents, so that it could change Mr S' bank account records. Phoenix also said that because Mr S' new bank account was held outside the UK it was required to undertake enhanced due diligence measures, which it said was needed for safeguarding against potential risks associated with anti-money laundering and fraud. Again, I think it was reasonable that Phoenix applied enhanced measures as Mr S' new bank account was held outside of the UK, for the reasons given above. I think that in doing so, Phoenix wanted to be certain that it would be paying Mr S' annuity income into a bank account that was held by Mr S.

Mr S has said that the first set of documents he sent to Phoenix had been certified by the police service from the country where he now lives. Mr S has said that Phoenix should have accepted these documents as evidence of his new bank account as it was the practice in his new home country for documents to be certified by the police service.

However, Mr S' annuity income is paid by Phoenix in the UK and not from within his new country of residence. Phoenix also has its own requirements of who it would accept as an authorised individual to certify documents and has said that when it received Mr S' documents it didn't accept documents certified by a police service. As I've said above, I think it's reasonable for Phoenix to have its own requirements which needed to be met before it could change Mr S' bank records. I therefore don't think it's reasonable to expect Phoenix to accept copy documents certified by a police service just because this was the acceptable practice where Mr S now lives.

Mr S next sent Phoenix copies of the same documents certified by his own business accountant in August 2024. The accountant's business stamp which was used to certify the document says underneath the signature: "*Commissioner of Oaths...Designation: Associate General Accountant*". The document is then stamped and signed again and underneath this second signature this stamp says: "*COMMISSIONER OF OATHS...Designation: Associate General Accountant*".

Phoenix had told Mr S that it would accept copy documents certified by "*An active Director, accountant, bank manager, officer, or manager of a regulated financial services business*". Phoenix therefore told Mr S that the documents he'd sent in didn't meet its requirements. Phoenix has also said that the documents that Mr S sent it in August 2024 couldn't be accepted as they had been signed by a "*Commissioner of Oaths*", which wasn't listed as an authorised individual they'd accept as a signatory. In response, Mr R has said that most accountants in his new country of residence are also "*Commissioner of Oaths*".

This Service has asked Phoenix to provide further information on why it wouldn't accept the documents Mr S sent that had been certified by his accountant as a "*Commissioner of Oaths*". Phoenix has said that because the country where Mr S now lives is classed as a "*high risk jurisdiction*" all documents it received would have to be referred to its "*Financial Crime Unit*" to confirm if they are acceptable. Phoenix has repeated that although the documents signed by Mr S' accountant had been stamped by a "*Commissioner of Oaths*", these documents still wouldn't have been accepted as an "*Associate General Accountant*" and a "*Commissioner of Oaths*" were not on its list of acceptable signatories.

Instead, as I've said above, Phoenix had said that it would accept documents signed by "*An active Director, accountant, bank manager, officer, or manager of a regulated financial services business*". As Mr S' documents had been signed by his own accountant as an "*Associate General Accountant*" then I think it's reasonable to assume that this signatory didn't meet the above definition set out by Phoenix.

Phoenix has gone on to explain that as the lawyer who next signed Mr S' documents was on its list of acceptable signatories, as they were "*A practicing Lawyer or notary public*", then these documents were accepted. However, Phoenix has said that these documents would still have been sent to its "*Financial Crime Unit*" for approval before its records of Mr S' bank account would have been changed.

On 4 October 2024 Mr S emailed documents certified by a lawyer to Phoenix. As these documents now met Phoenix's requirements, it updated its records for his bank account and then wrote to him on 15 October 2024 to tell him that its records had been changed in line with his instructions. I think that once Mr S had emailed acceptable documents, Phoenix changed its records of Mr S' bank account and confirmed this change to him within a reasonable timescale.

Mr S has told this Service that he was able to change his bank account records for pensions held with other providers without having to meet the requirements specified by Phoenix. But, as I've said above, I think it was reasonable that Phoenix had its own requirements that needed to be met before it would change Mr S' bank records. I think this was a matter for Phoenix to determine, just as Mr S' other pension providers had set their own requirements to be met before they would update Mr S' bank records.

I therefore think that Phoenix told Mr S what he needed to do for his bank records to be changed, and as soon as he met these requirements Phoenix updated its records. I also think that Phoenix had allowed Mr S to email these documents to it, instead of them being posted, to try and assist him. I therefore don't think that Phoenix has done anything wrong and therefore I'm unable to uphold Mr S' complaint.

My final decision

My final decision is that I don't uphold Mr S' complaint against Phoenix Life Limited.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 5 August 2025.

Ian Barton
Ombudsman