

The complaint

Miss B complains that Barclays Bank UK PLC has failed to help her after she lost money that she borrowed on her Barclays mortgage to a scam.

What happened

Miss B has a mortgage with Barclays. In 2018 she applied for further borrowing. She believed the money would be used to finance the purchase of land for a construction project. But she says that in fact she was scammed and lost the money. This was part of a wider situation in which she was a victim of serious abuse and exploitation.

In 2019, Miss B complained about the mortgage and the scam. Barclays responded to her complaint on 3 December 2019. It said that it had no reason to be concerned about Miss B's mortgage application and didn't think it had done anything wrong in lending. It also said it had no reason to stop the payments Miss B made with the mortgage funds. It had tried unsuccessfully to recover the funds once Miss B had told it of the problem, but by then it was too late. It offered £100 compensation for a delay in responding to her complaint.

In 2021, Miss B complained again, and Barclays responded to that complaint on 20 May 2021. It said it had responded to the complaint in 2019, and had nothing further to add.

In 2024, Miss B complained again about her mortgage. She complained about the 2018 lending and the scam again. She said she had been a victim of modern slavery and exploitation. She also complained that she was unhappy about phone conversations with Barclays in either 2022 or 2023, that it had promised to call her back in July 2024 but hadn't done so, and that it had called her on 2 August despite an arrangement to call her on 9 August.

Barclays said it had already responded to the complaint about the further borrowing and the scam, and wouldn't respond to that again. It said it had no records of the call Miss B had referred to in 2022 or 2023, or an agreement to call her in July 2024. It said that there had been an arrangement to call on 2 August 2024, and Miss B had asked for that to be moved to 9 August. It had failed to update its records and still called her on 2 August. It apologised for that.

Our investigator said we couldn't consider the complaint about the borrowing and the scam, because Miss B hadn't referred it to us in time. He couldn't find any evidence of the earlier calls, and thought that Barclays' apology was a fair way to put right the problem with the August 2024 call.

Miss B didn't agree and asked for her complaint to be reviewed by an ombudsman. She said that the investigator hadn't properly considered her complaint and had discouraged her from sending relevant evidence to him.

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'm very sorry to hear of everything Miss B has been through. To protect her privacy I haven't set out in detail everything she said has happened in this decision, but I'd like to assure her that I've carefully considered all the evidence and documents she has provided.

Having done so, I'm afraid I've had to decide that we don't have the power to consider her complaint about the further borrowing and what happened to the money. We only have the power to consider complaints that have been made within the time limits that apply. Our rules say that a complaint has to be brought to us within six months of the date Barclays sent its final response. That was in 2019, but Miss B didn't contact us until 2024.

We can consider complaints made out of time, but only if Barclays consents, or if there are exceptional circumstances to explain the delay. Barclays hasn't consented to us looking at Miss B's complaint out of time. I've noted what Miss B has said about what she believes to be Barclays' motives for that, but I'm afraid that's not something I can consider. Either it consents or it doesn't, and if it doesn't I have no power to enquire into the reasons why.

I have also thought very carefully about whether there are exceptional circumstances which explain the delay. Miss B's account of her experiences shows that she's had an incredibly difficult time. But I'm afraid I don't think that means we can consider the complaint. That's because the evidence shows that she's been in regular touch with Barclays, the police, other firms and other agencies throughout the period since Barclays first responded to her complaint. As that's the case, I can't reasonably conclude that she was unable to contact us to refer her complaint to us. So I'm afraid I don't think there are exceptional circumstances which prevented her referring her complaint in time.

I can however consider Miss B's complaint about the later phone calls. But having done so, I don't think I can fairly uphold that part of her complaint. I've taken into account what Miss B has said about the calls she had in 2022 and 2023, and in July 2024.

There is a record of a call having been made on 5 July 2024, but that was a call from Barclays to Miss B about her mortgage payments. Miss B said it wasn't a convenient time to talk because she was at the dentist. Barclays left a voicemail on 10 July and did manage to speak to Miss B on 15 July. In that call Barclays wanted to discuss arrears on the mortgage. Miss B explained her circumstances and Barclays agreed to consider a new complaint. But I don't think Barclays told Miss B that it would uphold her complaint and reimburse her, when it's been very consistent that it can't do that. I think at most it would have told her that if she had new evidence or new complaints that would be considered by its complaints team – but I don't think it's likely Barclays staff would have told her that her complaint would be upheld. There are also a small number of calls logged in 2022 and 2023, but again I don't think it misled her about how it would deal with her complaint about the lending.

Barclays accepts that it called Miss B on 2 August 2024, when she had requested the scheduled call to be moved to 9 August. It shouldn't therefore have called her on 2 August. It's apologised to Miss B for that oversight, which I think is fair.

I appreciate Miss B will be disappointed with my decision, and I'm very sorry about that. I do have much sympathy for her situation and everything she's been through. And I understand how important this complaint is to her. But, as I've explained, I can't consider the complaint about the lending and what happened to the money. And I've not seen anything to suggest that Barclays has misled her about that, or that it's otherwise treated her unfairly in relation to how it's contacted her about the mortgage.

My final decision

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss B to accept or reject my decision before 9 September 2025.

Simon Pugh
Ombudsman