DRN-5628544

The complaint

Mr R on behalf of the late Mrs R's estate complains about the service received by The Royal Bank of Scotland PLC ("RBS") regarding the administration of the late Mrs R's accounts following her death. In particular, RBS's failure to apply a stop to Mrs R's debit card resulting in unauthorised transactions being taken from Mrs R's account and depleting the estate of funds.

What happened

Mrs R held three accounts with RBS and sadly passed away on 10 November 2021.

Mr R – Mrs R's son – says he notified RBS of his mother's death on the same day and asked it put a stop on her debit card.

RBS records show that it received a death certificate and was notified of Mrs R's death on 25 November 2021 following a visit by Mr R to branch and at this time a stop was applied to her accounts. Mrs R's statements show there were no further withdrawal transactions following 12 November 2021.

A Grant of Probate was issued on 1 March 2022 confirming Mr R's appointment as executor.

Mr R says around the middle of 2022 he instructed RBS to close Mrs R's accounts and transfer the funds to his account.

RBS's contact notes show it sent chasing correspondence regarding the closure of Mrs R's accounts on 30 May 2022, 5 December 2022, 8 March 2023, 5 September 2023 and 5 March 2024. But yet failed to receive a response to this and so nothing could be done regarding Mrs R's accounts.

Having discovered Mrs R's accounts hadn't been closed Mr R contacted RBS on 30 June 2024. RBS said it would email a closure form on 1 July but failed to do so or return a call and so Mr R raised a complaint on 2 July 2024 about the service received regarding Mrs R's accounts.

RBS agreed the service it provided could've been better when it failed to provide the closure forms and paid Mr R £100 compensation for trouble and upset.

Following receipt of the closure forms signed with a wet signature Mrs R's accounts were closed and the funds transferred to Mr R's account as per his instructions on 1 August 2024.

Mr R was dissatisfied with RBS's response to his complaint and so brought the complaint to this service. Mr R says RBS failed to transfer money for his late mother's account and that it allowed money to be withdrawn from her accounts following notification of her death and wants this addressed and to be compensated.

One of our investigators looked into Mr R's concerns but overall didn't think RBS needed to take any further action to resolve the complaint as:

- It had correctly stopped the accounts following receipt of the death certificate and no withdrawal transactions were made following this;
- It wasn't able to close Mrs R's accounts until it had the relevant legal authority – the Grant of Probate and closure forms - and despite sending numerous chasing correspondence about this it didn't receive all this until following Mr R raising the complaint; and
- They weren't able to assess whether compensation paid for Mr R personally is fair or make a further award as he isn't the eligible complainant but rather Mrs R's estate is.

And so taking all this into consideration they didn't think there was anything more RBS needed to do to address Mr R's complaint brought on behalf of Mrs R's estate.

Mr R disagreed, he says RBS should've cancelled Mrs R's debit card on 10 November 2021 when he says he informed it of her death and as a result of it not doing this he lost out on a considerable amount of money from the estate. And so this complaint has been progressed for an ombudsman's decision on the matter.

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 hope that Mr R won't take it as a discourtesy that I've condensed this complaint in the way that I have. Ours is an informal dispute resolution service, and I've concentrated on what I consider to be the crux of the complaint. Our rules allow me to do that.

And it is my understanding that the only complaint point Mr R wants further investigation and a decision on is regarding RBS's failure to put a stop on Mrs R's debit card following him notifying RBS of her death he says on 10 November 2021 and so this is what this decision will focus on.

Mr R says RBS's website says that the cancellation of a RBS debit card will block it immediately and that RBS failed to do this when he requested it block the late Mrs R's debit card following him contacting it.

This might well be the case for actual account holders who request this, but this isn't the case for deceased account holders.

RBS can only put a stop on any accounts held by customers including debit cards following notification and receipt of the death certificate which is the legal document confirming Mrs R's death. I'm sure Mr R understands that without that anyone could call up RBS and claim to be a relative or friend of the account holder and falsely claim they've died.

And although I appreciate Mr R doesn't recall being asked for a death certificate, I don't think this would've made a difference to what happened as whether a death certificate was asked for or not, I still don't think RBS would've received one within two days of Mrs R's death – when the last transactions were withdrawn.

Like with any significant event there is a process that needs to be following and registering a death and receiving a certificate and confirming the same takes time. Mr R would've had to attend an appointment to report Mrs R's death and then either attend a branch of RBS's and register it or send a copy through the post – all while being in a state of bereavement having just lost his mother. And so I think it is unlikely Mr R would've been able to do this within two days.

And as I've not seen any evidence to show that any unauthorised transactions left Mrs R's account following receipt of the death certificate or that RBS didn't follow its processes correctly, I can't say it's done anything wrong or treated Mrs R unfairly.

I accept that there were withdrawal transactions following Mrs R's death. But this isn't evidence of any wrongdoing on RBS's part – and if these transactions weren't legitimate this is something that would need to be looked at and investigated by the relevant authorities and not one this service can help with.

I note that Mr R also had some concerns that his instructions weren't followed regarding the closure of Mrs R's accounts and for completeness' sake, I will touch on this briefly here.

Much like RBS having a procedure it follows when registering a death, it also has one regarding the closure of its customers accounts. In this case it needed the Grant of Probate showing Mr R has the legal authority to deal with Mrs R's accounts and receipt of its closure forms and Mr R's instructions regarding the transfer of Mrs R's funds. And as RBS hadn't received all this – despite chasing Mr R for it on numerous occasions – I can't say RBS did anything wrong when it failed to close Mrs R's accounts sooner than it did.

So it follows as Mrs R's accounts have now been closed and the funds transferred to Mr R as per his instructions, I'm in agreement with our investigator that I don't think there is anything more RBS needs to do here.

My final decision

For the reasons I've explained, I do not uphold Mr R's complaint brought on behalf of the estate of the late Mrs R against The Royal Bank of Scotland Plc.

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

Caroline Davies
Ombudsman