

The complaint

The estate of Ms M complains Lisburn Credit Union Limited mishandled Ms M's account in various ways.

What happened

Ms M was a member of Lisburn Credit Union.

In 2000 Ms M made a nomination saying that her savings should be paid to her brother and sisters on her death. Her sisters passed away before her.

In 2016 Ms M made a will leaving her estate to her brother. In addition, she named her brother as her sole executor.

In 2018 Ms M's brother contacted Lisburn Credit Union to let it know that his sister had moved into a care home and that her health had deteriorated.

In January 2024 Ms M passed away. Her brother wrote to Lisburn Credit Union to let it know and to ask about her savings. Her brother says that once he'd provided all of the documentation Lisburn Credit Union needed he was told his sister had made another nomination in 2014. He ultimately discovered that this nominee wasn't him.

Ms M's brother raised various complaints saying, amongst other things, that his sister's savings should have been paid into her estate and to him as sole beneficiary.

Lisburn Credit Union says it looked into Ms M's brother's complaints but didn't uphold them. Ultimately Ms M's brother complained to our service on behalf of his sister's estate.

One of our investigators looked into the estate's complaint but didn't uphold it.

Ms M's brother was extremely unhappy with our investigator's recommendations and asked for the estate's complaint to be referred to a senior ombudsman. The complaint was, as a result, passed to me.

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 can see that Ms M was helped extensively by her brother during her lifetime. I have, however, seen nothing to suggest that she formally appointed her brother to act on her behalf during her lifetime. Because I'm satisfied Ms M didn't formally appoint her brother to act on her behalf – and only named him as her executor in her will which wasn't, therefore, an appointment that came into effect until after she'd passed away – that means I'm also satisfied that Ms M's brother had no legal authority to act on Ms M's behalf before she passed away. That also means that I wouldn't have expected Lisburn Credit Union to provide Ms M's brother with any information about Ms M's account before she passed away as it had no authority to do so.

I can see that the parties have exchanged extensive amounts of correspondence about what did and didn't happen before Ms M passed away. I am, however, satisfied that none of the concerns Ms M's brother has raised can be upheld as they all pre-suppose that Lisburn Credit Union was under some form of obligation to provide him with information. It wasn't – it had no authority to disclose information to Ms M's brother during Ms M's lifetime – meaning Ms M's brother's concerns fall away. I appreciate that this isn't the answer Ms M's brother will want to hear.

I can see that the parties have exchanged extensive amounts of correspondence about what has happened to Ms M's savings. In a nutshell:

- a) Lisburn Credit Union says that her savings were paid to an individual Ms M nominated in 2014 and that this was in accordance with the law as a nomination cannot be revoked by a will provided less than £20,000's worth of savings are involved which they were; and
- b) Ms M's brother says his sister's will revoked the 2014 nomination and / or for a number of reasons her savings should have been paid to him as the sole beneficiary of his sister's estate.

Having considered everything we've been sent in detail, I'm satisfied that Ms M's nomination in 2014 wasn't revoked by her will and, more importantly, that Lisburn Credit Union hasn't acted unfairly since Ms M passed away given the regard it has had to the law. Again, I appreciate that this isn't the answer Ms M's brother will want to hear.

My final decision

My final decision is that Lisburn Credit Union Limited doesn't need to do more.

Under the rules of the Financial Ombudsman Service, I'm required to ask the estate of Ms M to accept or reject my decision before 10 October 2025.

Nicolas Atkinson
Ombudsman