

## The complaint

Mr C and Miss W complain that Barclays Bank UK Plc ignored their request that their joint account be administered by one person, observing their contact preferences, with no marketing material sent. For ease of reference I have only referred to Mr C below.

## What happened

Mr C requested Barclays allow their *'joint account to be only administered by one person. That they only gain information on the account statement and no marketing. No emails be held on any accounts, or phone numbers when requested. Dont allow 3rd parties, even within the Barclays group or organisations they work with, to have our details. To admit that they are using account information to harvest data, even when GDPR rules forbid this.'*

Mr C said the issues with their account *'has been an ongoing problem since 2013'*. Mr C said when he lived with Miss W, they received one statement and asks why Barclays can't still send one statement to his address in both names as previously agreed. He said Barclays only has Miss W's current address by cross-referencing bank accounts, i.e. misusing protected personal data which it had no consent to pass within its business group. He said this is intolerable and a breach of the law. They brought their complaint to Barclays.

Barclays said it understood Mr C wants to be the only party receiving correspondence about the account, but said that Miss W has the same access whilst the account is joint, and this isn't an error. Barclays reviewed its response to Mr C's complaint from 2017 and disagreed it had promised that Miss W wouldn't receive any communication from the bank.

Barclays said Mr C receives letters letting him know it is trying to email him as it doesn't hold his email address at his request – and he can ignore these letters. It said the letters can't be stopped as they go to all customers for whom no valid contact details are held. Barclays apologised for sending Mr C texts and said it would unlink any previous numbers held for his accounts. Barclays disagreed there had been any breach of the data protection regulations.

Mr C wasn't satisfied with Barclays' response and referred the complaint to our service. Our investigator didn't recommend it be upheld. He said with a joint account, both parties have the same access and so both can be communicated with as necessary. However, Barclays confirmed Miss W can have her phone number removed as Mr C has, should she wish to.

The investigator asked Mr C what unwelcome communications he's still receiving. Mr C provided a letter and texts asking him to ensure details are correct for statements. Barclays said these comply with regulations to ensure important information reaches customers and to protect their accounts.

The investigator said Barclays' terms and conditions state; *'We'll contact you using the details we have for you. This could be on your mobile or landline phone, email, or at your home or correspondence address'*. He also said Mr C doesn't wish to receive marketing or have the account 'harvested'. Barclays said they aren't doing this and the investigator said there's no evidence to suggest otherwise and no marketing material was sent.

Mr C wasn't happy with this outcome and requested an ombudsman review the complaint. He said the evidence is right in front of the investigator that Barclays cross referenced account details and sent mail out, going against the data protection regulations. Mr C said they want Barclays to be fined for breaking these rules.

### **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.

As an informal dispute resolution service, we are tasked with reaching a fair and reasonable outcome with the minimum of formality. Having done so, I've reached the same overall conclusion as the investigator. I know Mr C will be disappointed as I can see how strongly he feels about what has happened, I will explain why.

Mr C said Barclays said it won't send any details other than the monthly account but is harassing them for further details on an account Barclays has agreed was a single contact by letter only. I haven't found where Barclays agreed the account would be single contact only since the account holders live at different addresses. In fact, Barclays has told Mr C that Miss W has the same access whilst the account is joint, and its contact to her isn't an error.

Mr C said Barclays cross-referenced account details and sent mail out, going against the data protection regulations. Mr C said they want Barclays to be fined for breaking these rules. Barclays disagreed there had been any breach of the data protection regulations.

In its response to their similar complaint in 2017, Barclays said that for important messages, *'contact details are extracted from all of our internal systems to ensure all customers are contacted'*. This remains the case though Barclays has explained that customers can hold more than one address, including one that is statement specific. Barclays said that Miss W has provided a residential address and it uses a customer's residential address to send regulatory letters. I can see that this approach accords with Barclays terms and conditions under the headings of, *'Who can use your account'*, and *'Keeping in touch'*.

Barclays said it sometimes writes to Mr C as it doesn't hold his email address and has said he can ignore these letters if he wishes. Mr C describes Barclays response as ludicrous. But it is the normal position for a bank to take concerning communications on a joint account as banks have to make all account holders aware of the status of the account. And certain communications are required by regulations to be by post.

I haven't seen anything to suggest that Mr C's details or details of the joint account have been divulged to a third party, and I haven't seen that the account holders have suffered any financial detriment from Barclays' handling of their account. I can't see that there was a breach of data protection in Barclays' processing of Mr C's personal and account information but ultimately breaches of data protection legislation are best dealt with by the Information Commissioner's Office rather than this service. I haven't seen anything to suggest that Barclays' communications were harassing in their nature.

Barclays apologised for sending Mr C texts and said it would unlink any previous numbers held for his accounts. I expect Barclays to get this right on its records as its texts are clearly unwelcome to Mr C. Barclays said a similar issue for Miss W would need to be raised by her, but she is a party to this complaint and so I asked Barclays to remove any outdated contact details in her name. Barclays says it has updated Miss W's marketings and statement preferences so she won't be contacted regarding this account, but it will still contact her with regards to communications required by the regulations.

I further expect Barclays to observe Mr C's request for no marketing material to be sent, and that appears to have been followed to date. Mr C may bring a further complaint if his request is not followed.

Based on what Mr C has told us I can understand his frustration with Barclays about the communications he has received. But I agree with the investigator that Barclays has explained why it has sent its communications and has acted in accordance with the terms and conditions of the account in continuing to do so.

Our service investigates the merits of complaints on an individual basis and that is what I've done here. I think it's important to explain that my decision is final. I realise that Mr C will be disappointed by this outcome though I hope he appreciate the reasons why it has been reached. By rejecting this decision all options remain open, including referring the complaint to the Information Commissioner's Office as mentioned above.

### **My final decision**

For the reasons I have given it is my final decision that the complaint is not upheld.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr C and Miss W to accept or reject my decision before 3 February 2026.

Andrew Fraser  
**Ombudsman**