

The complaint

Mx M complains that Capital One (Europe) plc won't accept an unenrolled deed poll in isolation as evidence of a name change in order to update their account.

What happened

Mx M wrote to Capital One to request the name on their account be updated in line with their name change. They provided Capital One with an unenrolled deed poll as evidence of the name change.

Capital One said it needed an additional document in Mx M's new name to update the account. It provided a list of documents it would accept.

Mx M was unhappy that Capital One wouldn't accept the unenrolled deed poll on its own. They said this had been accepted by other financial businesses and they felt Capital One was breaching regulations by not maintaining accurate records.

The complaint was referred to our Service. Our Investigator didn't think Capital One had acted unfairly in requiring further documentation in line with its name change policy.

Mx M asked for an Ombudsman to review the complaint, so it has been passed to me to decide.

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 appreciate how strongly Mx M feels about these matters and it is clearly very important to them. But I can't agree that Capital One has acted unfairly here.

As a starting point, it's important to establish that financial businesses are entitled to set their own policies. It is for Capital One to decide what its policy is on what documentation it requires to process a name change. This is based on its commercial judgement and attitude to risk.

But I need to be satisfied that Capital One's policy has been applied fairly in Mx M's case, and that the policy isn't unduly onerous or unfair towards a particular group.

I've reviewed Capital One's name change policy in full – this includes name changes due to marriage, gender change and reverting to a maiden name. Having reviewed this, I can see Capital One will accept a number of official documents to evidence a name change. Where a deed poll is provided, there are different requirements for additional documentation depending on if the deed poll has been enrolled through the courts or not.

If the deed poll had been enrolled through the courts, in which case it will be signed or possibly stamped by the courts, then Capital One's policy is to accept this as evidence of the name change with no further requirements. If the deed poll has not been enrolled through the courts, then Capital One's policy requires, in addition to the unenrolled deed poll, a further document in the customer's new name. The documents Capital One will accept include documents such as a passport, bank statement, council tax bill, and a car or home insurance certificate.

Capital One has told our Service it requires additional documentation because, in its view, an unenrolled deed poll is more at risk of being fraudulent. I'm satisfied that this explanation for requiring additional documentation to accompany an unenrolled deed poll is reasonable. I don't think the additional documents Capital One requires are onerous or excessively difficult to provide. And I don't consider that Capital One's policy here is unfairly more arduous for one group over another when changing name on the account. For example, if a customer is changing their name due to marriage, they are required to provide their marriage certificate. Official documentation is required for any name change, and where a deed poll hasn't been officially enrolled through the courts it can still be accepted if supporting evidence is provided as I've outlined above.

So, I consider Capital One's policy is reasonable, and it has been fairly applied to Mx M, in the same way it would to any other customer.

I have reviewed Capital One's website, and I agree it could be clearer what documents are required to process a name change. The website specifies that a deed poll is required but doesn't elaborate that if it isn't enrolled then further documentation will be required. This doesn't change what Capital One's policy is, or what is required of Mx M. But I consider clearer guidance here would help to set a consumer's expectation earlier of what is required.

I appreciate Mx M has said they have been able to change their name on accounts with other financial businesses using an unenrolled deed poll. I don't question this. But as I've said each business is entitled to set its own policy, and I'm satisfied Capital One's policy is not unreasonable and hasn't been applied unfairly in Mx M's circumstances.

Given Mx M has said they have been able to change their name on accounts with other financial businesses, I'd suggest they provide, for example, a bank statement in their new name, to enable Capital One to update the account.

I agree with Mx M that Capital One has a duty to keep up to date and accurate records regarding its customers. But this needs to be balanced against its duty to evidence significant changes to an account, as without doing so could potentially put an account at risk. Once Capital One has received the required evidence of Mx M's name change, it should update Mx M's account details promptly.

I appreciate this isn't the answer Mx M was hoping for, and I'm sorry to disappoint them. But ultimately, it's not unreasonable for a business to require evidence to support a name change and for it to decide what evidence it will accept according to the level of risk it is comfortable with. I can't agree that Capital One has applied its policy incorrectly or treated Mx M unfairly. So, I don't require Capital One to do anything further.

My final decision

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mx M to accept or

reject my decision before 16 February 2026.

A handwritten signature in black ink, appearing to read 'E. Taskas', with a long horizontal flourish extending to the right.

Emma Taskas
Ombudsman