

complaint

Mr R feels he's been unfairly treated by Barclays Bank Plc as it placed a CIFAS marker on his account in 2013 after closing his account with no notice.

background

Barclays closed Mr R's account in 2013 and placed a marker on CIFAS relating to Mr R. It said it closed his account in line with its terms and conditions.

Mr R complained to Barclays and it said it hadn't done anything wrong. It said it was entitled to close his account if it wanted to and had done in line with its terms and conditions.

Mr R complained here and the adjudicator did not uphold the complaint. Mr R does not agree so this complaint has been passed to me.

my findings

I have considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Mr R has said it's not clear what he's done wrong and that it's inconvenient for Barclays to have placed such a CIFAS marker. The marker has been in place since 2013 and expires in 2019.

This decision is solely about Barclays and how it acted. It is not a decision about any other firm or financial business.

It is clearly outside of this Service's remit to tell firms who their customers should be as long as any decision to close an account is made fairly, reasonably and executed in a fair and reasonable manner.

I can see from the bank records and correspondence from the time that it wrote to Mr R telling him of its decision to close his account. I can see it gave no notice before closing his account and had told him this in its letter to him. Having considered what Barclays did at the time based on what it knew I see no unfairness in what it has done here in closing the account. Clearly placing a public marker such as it has on the CIFAS register requires a high degree of accuracy, correctness and fairness. This is due to the repercussions of such a marker, which Mr R has made very clear he has experienced since it went on the register in 2013.

Mr R says he's been caused financial difficulties by this marker. And this may be the case. But Barclays hasn't put anything on the CIFAS register unfairly. And as a consequence I do not consider that Barclays has done anything wrong. So I don't think it needs to do anything else on this matter. I appreciate this is inconvenient for Mr R. But I don't think this is unfair considering the circumstances in the round. So this complaint does not succeed.

I should add however that in 2016 CIFAS produced guidance about situations in which it felt markers might not be fairly placed even if factually correct. I have not seen evidence of Mr R complaining to CIFAS about the marker still being fairly in place. By doing so, and explaining what happened in 2013, may bring about the situation where CIFAS would consider removing the marker. As this is what Mr R seeks I think it's worth him pursuing this by

speaking to CIFAS. But in this complaint about Barclays I'm satisfied it has done nothing wrong and needs to take no further action.

my final decision

For the reasons set out above, I do not uphold the complaint against Barclays Bank Plc.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr R to accept or reject my decision before 20 April 2018.

Rod Glyn-Thomas
ombudsman