

complaint

Mr E has complained that Barclays Bank Plc has registered fraud markers against his name on the Credit Industry Fraud Avoidance System (Cifas).

Mr P is helping him with his complaint but for ease, I will only refer to Mr E in my decision.

background

Mr E hasn't been able to open a bank account for a few years. He found out this was because Barclays had placed several fraud markers against his name.

He asked Barclays to remove the markers but it refused. It said there had been multiple applications to open accounts in his name, using false information.

Mr E didn't think this was fair so he brought his complaint to this service. He said he's the victim of identity fraud.

Our adjudicator didn't ask Barclays to remove the markers. She said it had acted reasonably based on the information it had.

Mr E didn't accept our adjudicator's view so this case has come to me for an ombudsman's final decision.

my findings

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

I'm afraid I don't think Barclays acted unfairly or unreasonably, when it registered the markers on Cifas. I will explain why I've reached this decision. But before I do, I would like to reassure Mr E that I have considered his complaint with great care and I have taken into account his personal circumstances.

Barclays said Mr E tried to open an account in early 2012. He failed its credit checks but it retained a profile for him.

The Cifas report shows that, between August 2012 and October 2013, there were 26 applications to open accounts in his name using multiple addresses. The report indicates that the person provided a genuine identity document with each application.

Barclays didn't open bank accounts for all the applications because it couldn't link Mr E to the addresses. Six accounts were opened with an address which matches his current address, although he was living elsewhere when they were opened. And some of the open accounts are described as misused on the Cifas report.

Barclays sent us a photocopy of Mr E's passport as proof that it saw a genuine identity document and retained a copy – at least for one of the applications. It also said that the person had used the same name he had previously given for his mother's maiden name. And it said he had complained in branch about not being able to withdraw money from one of the accounts.

Mr E disputes that he was the person who tried to open the accounts. He says he has been the victim of identity fraud. I note that he was living in shared accommodation when the accounts were opened. I can see how the opportunity might have arisen for a third party to take his identity documents. I also accept that Barclays can't verify if he was person who complained in branch about not being able to withdraw funds. I have asked him for more information about his living arrangements but he hasn't provided any.

But ultimately, I have to consider whether it was fair and reasonable for Barclays to register the markers. I think it was. Barclays was entitled to register the markers if it had any concerns about the applications or the accounts. There were multiple applications over fourteen months. There were multiple addresses and he couldn't be linked to most of them. The transactions on the statements for the 'misused' accounts are unusual. As long as the information on the Cifas report is factually correct, then I'm afraid I can't ask Barclays to remove them.

I am sorry this will be disappointing news for Mr E but I hope the reasons for my decision are clear.

my final decision

My final decision is that I won't be asking Barclays Bank Plc to do anything.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr E to accept or reject my decision before 25 July 2018.

Razia Karim
ombudsman