

## **complaint**

Mr I's unhappy that National Westminster Bank Plc closed his account and placed a Credit Industry Fraud Avoidance System (CIFAS) marker against his name.

## **background**

NatWest closed Mr I's account. It sent him a letter to explain that it had closed his account.

When Mr I complained to NatWest it said it was sorry that Mr I had been upset by the closure of his account but couldn't give him an explanation other than referring to the grounds on which it was entitled to close an account immediately.

Mr I tried to open an account with another bank who told him his application was unsuccessful because of a CIFAS marker.

Mr I wants NatWest to remove the CIFAS marker. He says he was naïve. So he doesn't think it's fair that the CIFAS marker has been applied to him. He says this has affected his health and will now affect his future job prospects. And he won't be able to go to university.

The investigator didn't uphold Mr I's complaint. She found that NatWest was entitled to close Mr I's account. She also thought NatWest hadn't acted unreasonably in applying the CIFAS marker.

Mr I disagreed and asked an ombudsman to review his complaint.

## **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 can understand why Mr I is upset. I'm sorry this experience has made him feel unwell. And that this has been a stressful situation. I also appreciate that Mr I is understandably worried about how this will affect his future. But for me to uphold his complaint I have to think the bank has done something wrong. And in this case, I don't think it has.

### *closure of the account*

A bank is entitled to close an account with a customer just as a customer may close his account with a bank. Neither is required to give a reason. But before a bank closes an account, it must do so in a way, which complies with the terms and conditions of the account.

The terms and conditions of Mr I's account confirm NatWest can close the account immediately under certain circumstances. I believe, considering what happened in this case, it's fair and reasonable NatWest took the action it did. And I'm satisfied NatWest has complied with the terms and conditions of the account.

### *CIFAS marker*

NatWest placed a CIFAS marker on Mr I's record because they felt they had enough evidence. I've reviewed what happened and I've taken into account that Mr I's now very remorseful. But I don't have enough evidence that Mr I acted out of duress. From the evidence I've seen, I don't think Mr I did something he wasn't willing to do.

Overall, I don't believe NatWest has acted unfairly. I know Mr I is upset his record has been affected. And that Mr I has asked me to take into account he was under 18 at the time. But I don't think NatWest has acted unfairly when it recorded information on the CIFAS database.

Taking the matter as a whole, I don't think it would be fair for me to require NatWest to remove the information. I appreciate that my decision will come as a great frustration and disappointment to Mr I. But for the reasons set out above, I don't uphold this complaint.

Our investigator has advised Mr I that he's able to contact CIFAS directly to see what the record says. And that CIFAS has its own process for investigating disputed entries. I understand he has recently done this.

### **my final decision**

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr I to accept or reject my decision before 14 July 2017.

Sharon Kerrison  
**ombudsman**