



complaint

Mrs F complains about the reserve usage fees that have been applied to her account by Barclays Bank Plc and that it has not acknowledged that she is a student.

background

Mrs F exceeded her overdraft limit and Barclays applied reserve usage fees. She complained to Barclays that the fees were unfair and were making her financial position worse. Barclays did not uphold her complaint but agreed to refund £88 of fees and to waive a further £88 of fees that were to be applied. Mrs F was not satisfied with the bank's response so complained to this service.

The adjudicator did not recommend that this complaint should be upheld. He concluded that the reserve usage fees were not unfair, that Mrs F had not opted out of the personal reserve agreement but had used the reserve for which a charge was made, that Barclays had dealt with her direct debits correctly and that it had responded to her financial difficulties positively and sympathetically. He also noted that Barclays had said that it was unable to convert Mrs F's account to a student account because of the status of her current account.

Mrs F says that she is a full time student, that she did not sign up for the personal reserve, that Barclays has refused her application for a loan and that she should be compensated by Barclays for the treatment that she has received.

my findings

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

Barclays wrote to all of its customers in 2008 offering them a personal reserve account. It was automatically added to a customer's account unless the customer opted out. Barclays has no record to show that Mrs F did opt out of the personal reserve. Mrs F has then used the personal reserve and usage fees have been applied. I am not persuaded that there is enough evidence to show that Barclays has acted unfairly or unreasonably concerning the personal reserve account or the reserve usage fees.

Nor am I persuaded that there is enough evidence to show that Barclays has dealt with Mrs F's direct debits incorrectly.

Although Mrs F is a student, I do not consider that Barclays is required to open a student account for her. It says that it is unlikely that her application for a student account would be accepted because of the recent history on her current account. Nor is Barclays required to provide a loan to Mrs F. It is a commercial decision for a bank as to what services it provides to a customer and this service would not normally interfere with a bank's legitimate commercial decisions.

Mrs F has referred to her financial difficulties. A bank is required to respond to a customer's financial difficulties positively and sympathetically. That does not mean that it is obliged to refund charges, or to take any other particular action, as what is appropriate in each case will depend on the customer's individual circumstances. Barclays has refunded £88 of

reserve usage fees to Mrs F, waived a further £88 of fees and it has notified its consumer finance department of her financial situation. I consider that Barclays has responded to Mrs F's financial difficulties positively and sympathetically as it is required to do.

I am not persuaded that it would be fair or reasonable for me to require Barclays to refund the other reserve usage fees that have been applied to Mrs F's account or to pay any compensation to her

my final decision

For these reasons, my final decision is that I do not uphold Mrs F's complaint.

Jarrold Hastings
ombudsman