

complaint

Miss R complains that the Specialist Care Handling Team ("SCHT") at Barclays Bank UK PLC hasn't contacted her despite assurances that it would.

background

In April 2017 Miss R contacted Barclays and asked it to write off her debts as she was experiencing financial difficulties as a result of her disability. Barclays didn't agree to write off the debt but agreed to freeze payments for 12 months. Barclays said it would contact Miss R at the end of the 12 months to review her account.

Miss R contacted Barclays in October 2018 to complain that she hadn't heard from them as promised. The payment freeze had remained in place throughout.

Barclays upheld Miss R's complaint and paid compensation of £25 to Miss R. It told Miss R the SCHT would contact her by email, but this didn't happen.

Miss R complained again. Barclays said the account was being reviewed and apologised for the delay in contacting her. It confirmed the payment freeze would continue. Barclays said that although it had told Miss R the SCHT would email her, it had made an error as the SCHT was unable to correspond via email. The bank apologised for any inconvenience caused to Miss R. It said in order for the SCHT to consider a medical write off of her account, Miss R would need to provide an up to date record of income and expenditure and up to date medical information and records.

Miss R was unhappy with the bank's response. She feels that the SCHT hasn't made reasonable adjustments with regard to her disability. She's unhappy that she hasn't been contacted and says her disability is worsening because of the stress caused.

To resolve her complaint, Miss R wants Barclays to write off the debt and pay compensation for the poor customer service she's received.

Our investigator didn't uphold the complaint. He said although Barclays made an error when it told Miss R the SCHT would contact her by email, it had apologised for this and had left the payment freeze in place which meant that Miss R hadn't been negatively financially impacted by the error. The investigator felt that the apology together with the earlier payment of compensation was a fair response by the bank. The investigator also said it was reasonable for the bank to request further information from Miss R in order to reach a decision on whether her debt could be written off.

Miss R didn't agree. She said she'd asked Barclays to write off her debts because of her disability. She was unhappy that she'd been asked to send personal information and said she'd already sent evidence of her disability in 2017 and that her diagnosis hadn't changed.

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 understand that Miss R wants the bank to write off her debt because of her disability. I also appreciate how frustrated Miss R must feel because she hasn't heard from the SCHAT as she was expecting.

The bank has apologised for its failure to contact Miss R and has explained that the SCHAT can't contact her by email. Miss R has told this service that she's unable to communicate by telephone due to a speech defect caused by her disability. It's not clear from the information provided to me whether the bank has been made aware of the difficulties with telephone communication. Now that it is aware, I would expect the bank to make reasonable adjustments with regard to Miss R's disability, so if it isn't possible for the SCHAT to email Miss R then it should write to her.

I can see that Miss R's account has been subject to a review for quite a long time. I appreciate that Miss R's continuing financial difficulties have caused her worry and stress, which she says has made her disability worse. Although the payment freeze has remained in place, which means that the debt hasn't increased, clearly it would be in Miss R's interests to receive a decision on whether the debt will be written off sooner rather than later. In this respect, the bank says the SCHAT needs further information from Miss R. I appreciate that Miss R doesn't want to provide personal information but in the circumstances, I don't think the bank is being unreasonable in requesting this.

I can't fairly ask the bank to write off the debt before financial and medical evidence has been provided. I appreciate that Miss R says her disability hasn't changed since she was first diagnosed. But the fact that Miss R is disabled doesn't mean that the bank should automatically write off the debt.

In cases where consumers are experiencing financial difficulties, I would expect the bank to respond positively and sympathetically. This may involve options such as freezing payments or repayment plans. But I would expect the bank to ask for details of a consumer's income and expenditure before it made any decisions. In this case, I think Barclays has responded sympathetically to Miss R by freezing payments.

Once Miss R has provided the information which the bank has asked for, and once the bank has reached its decision on whether to write off the debt on medical grounds, if Miss R remains unhappy with the bank's decision she can ask this service to look at the decision.

In the meantime, I don't think the bank has acted unreasonably in asking for information and I won't be asking it to write off the debt.

my final decision

My final decision is that I do not uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss R to accept or reject my decision before 30 May 2019.

Emma Davy
ombudsman