

## **complaint**

Miss C feels that Barclays Bank Plc (Barclays) hasn't treated her fairly about a breach of her confidentiality.

## **background**

Miss C had a joint account with her father which contained a significant amount of money. Sadly her father passed away and some of her relatives went into a branch of Barclays about her late father's accounts. Barclays accepts that during that meeting its actions were a "*breach of data privacy regulations*".

There was later an incident where one of these relatives was arrested and Miss C feels her life is threatened and she says she's been forced to move house because her relatives are demanding money from her in relation to the money held in the joint account she had with her father.

Miss C complained and Barclays offered her £300. She thought this wasn't enough and brought her complaint here. Barclays has now raised its offer to a total of £800. The adjudicator thought this offer was fair and reasonable. Miss C does not agree so her 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.

Firstly I should pass on my condolences to Miss C for her loss.

There is little in dispute in this case other than the settlement amount. Barclays has offered a total of £800. Miss C feels that on the basis of having to move house it should pay her tens of thousands of pounds.

I think there is a pertinent aspect to this case-which is that Miss C has told this service that she thinks that one of her relatives is an executor to her late father's estate. So it seems likely to me that at least this relative would have discovered the nature of this account at some time in the due course of fulfilling their role as executor.

Clearly this doesn't excuse Barclays of its data protection responsibilities. Barclays has accepted its' failing when it investigated the complaint and made an offer-which it has subsequently increased.

Obviously Barclays cannot be held responsible for the criminal behaviour of Miss C's family. The police are aware of the situation and it seems properly placed to deal with such matters, particularly any ongoing issues.

I can see that Barclays has apologised for what it did and offered a total of £800 for distress and inconvenience caused to Miss C by its mistake. Having taken everything into account I think this amount fairly represents the distress and inconvenience Miss C has suffered. As a consequence I award the suggested settlement of £800.

Miss C says she should be compensated for her house move. I'm not persuaded that it was necessary for her to move house or that Barclays should pay for it. The police have said that they were not taking further action with regard to arresting Miss C's relative. According to what Miss C has said it seems likely that this account would have become known to Miss C's relative in the management of Miss C's father's estate. So it seems likely that there would be some cause for dispute in the family anyway at some later date. And Barclays aren't responsible for the criminal behaviour of others in such situations. So I don't think it would be appropriate for Barclays to pay for such a house move in these circumstances.

I think the suggested settlement of a total of £800 is fair and reasonable in these circumstances.

### **My final decision**

For the reasons I have explained my final decision is that I award the suggested settlement of £800 to be paid by Barclays Bank Plc to Miss C.

Under the rules of the Financial Ombudsman Service, I am required to ask Miss C to let me know whether she accepts or rejects my decision before 30 December 2015.

Rod Glyn-Thomas  
**ombudsman**