

complaint

Mrs T complains that Barclays Bank PLC failed to remove her name from a joint bank account after the other account holder asked it to do this.

background

Mr T, who is the other joint account holder, wrote to Barclays asking for Mrs T to be taken off the account and confirming that the debt was his responsibility and nothing to do with Mrs T. So Mrs T is unhappy that Barclays is taking action against her to recover an outstanding debt on their joint account.

When Mrs T complained to Barclays about this, it acknowledged Mr T's willingness to take full responsibility for the debt. But it said that as the account was already overdrawn, without an agreed overdraft limit, then until the balance is cleared or Mr T agreed to pay the balance, the bank is following its correct procedure.

Barclays sent Mrs T a cheque for £100 for its delay responding to her and the inconvenience caused.

Our adjudicator felt that Barclays had responded fairly and reasonably to the complaint, but Mrs T disagrees, so the complaint has been referred to me.

my findings

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

It's completely understandable that Mrs T is upset that Barclays considers she is responsible for a debt that she didn't incur – especially when the other joint account holder has accepted full responsibility.

I sympathise with Mrs T – it appears that the other account holder is now living abroad and hasn't provided a contact address – and he hasn't made any repayment arrangement with Barclays to clear the debt.

But I agree with our adjudicator that, looked at overall, the bank has responded fairly and reasonably to this complaint.

I say this because the terms and conditions of the joint account make both account holders responsible, individually and together, for the arrears on the account. So I can't fairly say that Barclays shouldn't request payment of the debt directly from Mrs T. And, given the practical difficulties it faces pursuing the other account holder, I don't feel I can fairly say that the bank is acting unreasonably in pursuing Mrs T in these circumstances.

my final decision

For these reasons, I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mrs T to accept or reject my decision before 2 March 2015.

Susan Webb
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