

complaint

This complaint deals with the actions that Nationwide Building Society took when it was asked to close the accounts of the late Ms M. Mr A brings this complaint on behalf of her estate.

background

Mr A told us that he had faced lots of obstacles in trying to deal with the accounts that his late wife held at Nationwide. He said that he first told Nationwide about her death in January 2016. That was very soon after she had died. He said he went into the branch, they took a copy of the death certificate, and told him the account would be suspended. He was going away for a while. The branch said he could deal with this when he got back. But the branch lost all records of this and didn't suspend the account.

Later in the year Nationwide wrote to the late Ms M to say the account was in debt. Mr A realised that something had gone wrong. So he took a certified copy of the death certificate to the branch. He offered to supply an original but he said he was told this would be enough, he didn't need to do that. But then Nationwide couldn't confirm the details of the solicitor who had certified the copy. It allowed charges to keep mounting up. Mr A said he went into a branch again in January 2017 to try to sort things out. He said that he had to tell Nationwide how to find the details of his solicitor some weeks after that. He said that the various letters he got from Nationwide contradicted each other. And he said that Nationwide said it had now refunded all the fees it had charged the late Ms M's accounts, but actually it still owed £5. Mr A said that Nationwide's processes were unacceptably poor. Especially as it was dealing with a bereavement.

Nationwide said that it didn't have any records of receiving the original death certificate in January 2016. It had received a certified copy of the death certificate some time in 2016. It couldn't confirm who had certified it. So it wrote to Mr A asking for the original. And it said that it had refunded charges on the account that went overdrawn, and now closed it. It didn't think it had made any mistakes.

Our adjudicator upheld this complaint. He said that there were no records of Mr A's visit to the branch in January 2016. But he accepted that Mr A had done what he said. Our adjudicator didn't think that Mr A would wait to do that, and his testimony about what had happened matched Nationwide's bereavement notification process. Mr A said that he took the original of the death certificate into the branch. But even if he didn't do that, Nationwide's internal documents still say that as soon as it became aware that Ms M had died it should suppress the account, and make sure no marketing is sent out. That wasn't done.

Our adjudicator said that considering Nationwide's internal notes, it seemed likely that Nationwide had been chasing the late Ms M for payment on her account since August 2016, which was when the remaining money in her account had been used up. Nationwide's own internal notes say that Mr A rang the collections team to tell them Ms M had passed away, and they told him to ring a different number. Our adjudicator thought that the collections team could've passed the information on to the relevant team elsewhere within Nationwide. But instead it continued to chase Ms M for money.

Our adjudicator also noted that Nationwide wrote to Mr A on 31 October 2016, saying that it couldn't accept the certified copy of Ms M's death certificate. It said that it couldn't begin the

formal process until that was cleared up. But it didn't suppress the accounts or stop marketing or collections at this stage either.

Our adjudicator said that Nationwide had said it couldn't find any record of the solicitor that Mr A was using to certify copies of the documentation he gave Nationwide. But our adjudicator had found the solicitor's records easily. He thought Nationwide was looking in the wrong place, and this also meant the whole process took longer.

Our adjudicator said that Mr A had asked for £500 in compensation, and he thought that this was the minimum that Nationwide should pay, in these circumstances.

Nationwide didn't agree with that. It didn't say why. It asked for the complaint to be considered by an ombudsman, so the case was passed to me for a final decision.

my provisional decision

I issued a provisional decision on this complaint and explained why I proposed to uphold it. This is what I said then:

- Nationwide has shown us documentation which explains its process for dealing with bereavement. That documentation explains what appears to me to be a sensitive approach to what will always be an upsetting and stressful process for its customers. The documentation sets out a formal process that Nationwide can begin once it has the official documentation showing the bereavement. And it also sets out an informal process which Nationwide can follow before it receives that documentation. That informal process is there to make sure that people won't continue to receive post addressed to deceased loved ones. Nationwide's own letters show that it knew from, at the very latest, some time in October 2016, that Ms M had died. But it didn't put its informal process into effect for several months after that. So Mr A continued to receive post addressed to Ms M. This is a serious oversight on Nationwide's part. I would expect this to have caused Mr A significant distress.
- Nationwide also said that it wasn't able to start the formal process for closing Ms M's accounts in October 2016, because it couldn't tell who had certified the copy of the death certificate that Mr A had given it. It said that it couldn't find any record of the solicitor who had signed the form. Our adjudicator thought that was because it was looking in the wrong part of the relevant website. He said that if it had followed the instructions provided on the website, it could've verified her identity easily. I realise that the relevant website isn't perhaps as user friendly as it might be, but it does seem to me that in such sensitive circumstances Nationwide could've taken further steps to verify the solicitor, such as contacting the relevant registration authority. I think it is reasonable to expect Nationwide to have done that before it wrote to Mr A to reject the documentation he had sent it. If it had read the website more carefully, or contacted the relevant authority, I don't think that this issue would've been prolonged into 2017.
- Mr A said that he went into a branch with an original death certificate in January 2016. If that is correct, then both the informal and formal processes for dealing with Ms M's accounts should've started then. Nationwide said it just didn't have any record of that happening. I can see that Mr A has consistently said that he took an original copy of the death certificate to Nationwide early in 2016. His emails to Nationwide repeatedly express his frustration that this has been lost. Because Mr A has been consistent on this point, I think it is more likely than not that he did go into the branch in January 2016 with

the documentation that Nationwide needed. I think that Nationwide made a mistake in not starting to close down Ms M's accounts then.

- Mr A asked for £500 to resolve his complaint. Our adjudicator explained to Nationwide that it could settle this complaint for that amount, but that if the complaint was considered by an ombudsman, it would be likely that this award would be increased. Nationwide didn't want to settle.
- I've considered this service's usual approach to compensation carefully. In a case like this, where it seems to me that the process of closing Ms M's accounts was extended by, at the very least, several months, due to Nationwide's errors, and, because of further errors by Nationwide, Mr A was receiving correspondence threatening debt action against the late Ms M during this period, I think it is right that the compensation should be rather more than the £500 Mr A was prepared to accept. I think that £1,500 is the right amount to make up for the mistakes that Nationwide has made in this case, considering the ongoing distress that those mistakes must've caused Mr A.

I invited the parties to make any final points, if they wanted, before issuing my final decision.

my findings

I've reconsidered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint. Both sides responded to say that they accepted my provisional decision. So I've reviewed this complaint, and I haven't changed my mind. I still think that £1,500 is the right amount of compensation in this case.

my final decision

My final decision is that Nationwide Building Society should pay Mr A £1,500.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 4 January 2018.

Esther Absalom-Gough
ombudsman