

## **complaint**

Mr S complains about how Barclays Bank UK PLC has dealt with his financial difficulties.

## **background**

Mr S says he took out a Barclays loan but has experienced financial difficulties following an accident. He says he asked Barclays to increase his overdraft in April 2018 and again some months later. But it refused and should have known then he was in financial difficulties and couldn't repay his loan. Mr S says Barclays has been taking the loan repayment out of his benefit payments and that isn't allowed.

Barclays says it has no record of Mr S attending a branch in April 2018 but accepts it refused an application to increase the overdraft in June 2018. It says Mr S didn't make it aware of any financial difficulties until the complaint but it has now provided Mr S with details of its specialist debt department as well as details of other organisations that could help him. Barclays accepts it could have dealt with a call to Mr S's daughter more appropriately and has apologised and paid £100 compensation. It has also paid her £500 as a gesture of goodwill to assist Mr S with his rent arrears as Mr S has gambling problems.

Mr S brought his complaint to us but our investigator didn't uphold it and thought Barclays had acted fairly. The investigator thought Barclays couldn't have known about any financial difficulties unless Mr S told it about them. The investigator thought that a record would have been kept of any application being made in April 2018. The investigator also thought that in June 2018 when the increase to the overdraft application was made, the loan wasn't in arrears and that there were regular payments into Mr S's account.

The investigator thought Barclays had acted positively and sympathetically by giving details of organisations that could help him and by paying the compensation and gesture of goodwill. The investigator also thought Barclays had tried to help by offering to add Mr S's daughters to the account to assist her father.

Mr S doesn't accept that view and says the main point of the complaint has been missed that loan repayments are being taken from benefits payments when he can't afford his rent. Mr S also says his mental health position hasn't been considered. He would like all loan repayments and charges refunded from when he says Barclays should have known what was taking place in April 2018.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. Having done so I've come to the same overall view as the investigator for largely the same reasons. I realise Mr S will be disappointed by my decision and I appreciate how strongly he feels about what's happened.

Banks and building societies should treat cases of financial difficulties positively and sympathetically. I'm satisfied that Barclays has acted in such a way here for the reasons I will explain. And I don't think Barclays could have known about any difficulties Mr S was in until it was told about them by Mr S or by those trying to help him.

I appreciate Mr S says he asked Barclays for an overdraft increase in April 2018 but Barclays says it has no record of that visit. In those circumstances it is difficult to be sure what took place but I would have expected Barclays to have kept a record of such an

application if it had been made. And I think it likely that an electronic footprint would have been made on its systems such as took place in June 2018. So on balance I don't think an application was made in April 2018 and in any event even if it had then I don't think Barclays would have known about Mr S's financial difficulties and his gambling problems unless he told it about them.

I can see from Barclays records that an overdraft increase application was made in June 2018. But again I don't think at that stage Barclays would have known the extent of any gambling or financial difficulties unless Mr S told it about them and I don't think he did at that stage. I also think that when that application was made Mr S was making the loan repayments and keeping within agreed account limits.

I appreciate that Mr S with the help of his daughter did tell Barclays about his gambling and financial difficulties in early 2019. I find that was when Barclays was first told about the extent of the problems and I'm satisfied from that time it acted positively and sympathetically. I can see that it fairly made a gesture of goodwill payment to Mr S's daughter so that Mr S's rent arrears could be paid. And I can see that it provided details of its specialist department that could offer support and assistance to Mr S as well as details of other organisations that could potentially help. I can also see that Mr S has been reminded by Barclays on a number of occasions about that information. But it does not appear that Mr S has spoken to that department.

I appreciate that Mr S suffers from health issues. But I hope that either he or his daughter can speak to the team Barclays has recommended as I think without that contact Barclays can't offer any practical help. I also think Barclays has acted fairly by offering to add Mr S's daughter's details to his account so that she can take certain actions on her father's behalf. But I can't see that Mr S and his daughter have attended a Barclays branch so that can be achieved.

Overall I'm satisfied that Barclays has tried to assist and help Mr S but that Mr S hasn't made contact with Barclays specialist team. So I don't think Barclays could do any more in the circumstances of this complaint and I don't think it's made a mistake by taking the loan repayments from Mr S's account or that it matters what the source of Mr S's income is. I hope that Mr S considers speaking to Barclays about what it can do to try and help him in the future.

### **my final decision**

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 5 September 2019.

David Singh  
**ombudsman**