

The complaint

Mr P says Barclays Bank UK PLC are harassing him to repay a debt for an overdraft.

What happened

In April 2023 Mr P got in touch with our service and said Barclays had been harassing him to repay an overdraft debt for £377.28. Mr P wanted Barclays to stop using debt collection agents to ask him to repay the debt – and he said they hadn't told him they were passing his debt on.

After establishing this was a new complaint we could consider, Barclays let us know Mr P's account closed on 27 July 2022 with an outstanding balance of £377.28 (as Mr P said). They added they'd asked one of their debt collection agents, who I'll refer to as W, to collect the debt on 3 August 2022. No payment plan was agreed, so the account was returned. Barclays then instructed another debt collection agent, who I'll refer to as M, to collect the outstanding debt in March 2023.

One of our Investigators considered matters, but overall found Barclays were allowed to use different debt collection agents and had told him they were passing his debt on – so they hadn't done anything wrong.

Mr P said he didn't accept Barclays' evidence, and this was some kind of spiteful revenge from when he previously took Barclays to court. So, the complaint's been passed to me to decide.

What I've decided – and why

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

As a starting point I can see Mr P has previously disputed owing money under this account – but our service previously found he did owe this money. So, I won't be considering that.

I'm also not able to decide if Mr P has been harassed as he's said. The reason for that is harassment is a criminal offence. So, if Mr P wanted a decision on whether he's been harassed, he'd need to seek legal advice about that. What I can do, is look to see whether he's been treated fairly.

There is an outstanding debt of £377.28 in Mr P's name. I understand he disputes the validity of that debt, but I can't consider that – meaning I must decide this case on the understanding he does legitimately owe this money.

With that in mind, Barclays are allowed to take reasonable measures to recover the money they're owed. This can include passing over a debt to debt collectors acting on their behalf as they have done here.

Barclays have told us they terminated Mr P's account on 24 June 2023 – and in that letter told Mr P they could pass his debt over to debt collectors. Although I've not seen this letter, I suspect that's true on the basis it's quite common in the industry for this to happen.

Mr P's primary concern about being treated unfairly by Barclays is because he's been contacted by multiple debt collection agents. As far as I can see, they weren't operating at the same time – and Barclays did tell him each time his debt was passed over to a different debt collection agent.

Overall, I've not seen anything to suggest Barclays have treated Mr P unfairly.

My final decision

For the reasons I've explained above, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr P to accept or reject my decision before 8 March 2024.

Jon Pearce
Ombudsman