

The complaint

Mr P complains about the service he received from Barclays Bank UK PLC (“Barclays”). In particular he is unhappy in the way staff questioned him regarding a withdrawal he wished to make and that Barclays failed to raise a DSAR for him when he requested it.

What happened

Mr P was having issues transferring money from his account and so Mr P attended a branch of Barclays on 19 March 2024 to make a withdrawal of £1,600 using one of its self-service devices. The transaction was declined having been flagged by Barclays fraud detection system for checking and so one of Barclays staff in branch called through to Barclays fraud team to discuss the payment.

Mr P was then put on the line to the fraud team and following answering some security questions Mr P was questioned about why he needed to withdraw the money, the bills he had to pay and to whom. Mr P was told the reason Barclays ask these questions was to protect its customers against fraud and scams. Mr P was unhappy with this line of questioning believing it to be invasive and a major interference and inconvenience. Mr P refused to answer the questions and so Mr P was told that they wouldn't be able to facilitate the withdrawal in branch.

Mr P complained to Barclays about this and also asked for a Data Subject Access Request (DSAR) including a copy of the call with Barclays fraud team and asked for Barclays to provide in writing the rules and regulations it has to follow and the procedures and processes it has in place to do this.

Mr P was able to withdraw the funds he requested from the branch on the same day.

Barclays records show its complaints team attempted to contact Mr P on 26, 27 and 28 March without any success and so issued a final response letter advising that it wasn't upholding Mr P's complaint as there had been no bank error and how Mr P can request a copy of the call he wanted through a DSAR.

Mr P then attended a Barclays branch on 14 April and a DSAR request was completed.

Mr P was dissatisfied with this and brought his complaint to this service. Mr P says the questions asked by Barclays fraud team relating to the payment breached the Human Rights Act and wants compensation for the distress and inconvenience suffered.

Following bringing his complaint to this service Barclays acknowledged and apologised for not raising the DSAR on 19 March when it was initially requested.

One of our investigator's looked into Mr P's concerns and although they understood the situation was frustrating for Mr P they didn't think Barclays had treated Mr P unfairly when carrying out its fraud checks as it has a duty of care to safeguard its customers money and was satisfied the questions asked surrounding the cash withdrawal was to ensure it was genuine.

Furthermore, they explained it was not for this service to decide if Mr P's human rights have been breached but rather that of the courts and that as we aren't Barclays regulators, we can't tell Barclays how it has to run its business or to change its processes and policies.

They didn't think Barclays needed to do anything further regarding Mr P's DSAR request as it had apologised for not initially raising the DSAR on 19 March and had provided instructions on how to raise the DSAR via its final response letter.

Mr P disagreed. He doesn't believe Barclays are following the law and regulations and has asked for an ombudsman's decision.

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.

My role is to look at problems that Mr P has experienced and see if Barclays has made a mistake or done something wrong. If it has, we seek to put - if possible - him back in the position he would've been in if the mistakes hadn't happened. And we may award compensation that we think is fair and reasonable.

And having carefully considered everything I'm in agreement with our investigator and don't think there is anything much more of use that I can add.

As we are not the regulator, I cannot make a bank such as Barclays change its systems or processes – such as how or when fraud prevention checks are deemed necessary regarding funds coming into or going out of an account. Nor can I say what procedures Barclays needs to have in place to meet its regulatory obligations. We offer an informal dispute resolution service and we have no regulatory or disciplinary role.

That said I don't think it was unreasonable for it to have systems in place – in this case carrying out checks on certain outgoing payments and withdrawals that meet certain criteria for fraud prevention - to ensure the transactions are legitimate and it meets its regulatory requirements.

As I'm sure Mr P understands this is needed not only to protect businesses against criminal activity, but also their customers. Indeed, my understanding is that Mr P has raised complaints about this before and so I think would've been made aware that Barclays have rules it has to abide by in relation to this.

I appreciate Mr P was inconvenienced by this and felt the questions asked were invasive. But having listened to the phone call with Barclays fraud team I don't think the questions were unreasonable or unfair. Barclays simply asked Mr P what the purpose of the withdrawal was for to determine that the funds in question were going to be used for legitimate purposes and to satisfy itself that Mr P wasn't the victim of a scam. Given the withdrawal requested was for a not insignificant amount of £1,600 I don't think Barclays did anything wrong here.

So I don't think Barclays acted unreasonably or treated Mr P unfairly in the actions it took as it is in-line with its regulatory obligations and ultimately, it took this action to protect Mr P's interests.

I understand that Barclays failed to raise Mr P's DSAR when he initially requested this on 19 March. But Barclays have already apologised for this, and I see it did provide information to Mr P about how he could do this himself online and that a DSAR was successfully requested not long after. Mistakes happen, not everything runs smoothly and not every

mistake warrants compensation.

And so it follows I don't think there is anything more Barclays needs to do.

My final decision

For the reasons I've explained, I've decided not to uphold Mr P's complaint against Barclays Bank UK PLC.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr P to accept or reject my decision before 27 October 2024.

Caroline Davies
Ombudsman