

The complaint

Mr M complains that Barclays Bank UK PLC (Barclays) didn't offer him support when he was using his bank account to make gambling transactions in 2020.

He said he was using the account differently and Barclays should've noticed this and stepped in to prevent further spending.

Mr M is also unhappy that Barclays couldn't locate a call he made in October 2023 about his complaint. This led to them issuing an incorrect response to his complaint.

The details of this complaint are well known to both parties, so I won't repeat everything again here. Instead, I will focus on giving the reasons for my 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.

Having done so I've reached the same conclusions as the investigator, for the same reasons. I've explained my findings below:

When thinking about what Barclays should've done to assist Mr M, I must consider the guidelines that were in place at the time of the event. I note Mr M has referred to the FCA's paper on 'Fair Treatment of Vulnerable Consumers', but this was issued in February 2023 and the transactions Mr M is referring to took place in 2020. So, this isn't something I have considered when reviewing this case.

I have thought about whether Barclays were notified that Mr M had any problems with gambling, and if they weren't, I have considered whether they should've known and if they should've done something to assist him.

- I've reviewed Mr M's bank statements for June, July and August 2020. Throughout these months there are multiple, large gambling transactions, with the spending increasing throughout July and August. The gambling stops in early August 2020. Throughout these months the account remains in credit. I have not seen anything that suggests Mr M notified Barclays at the time that he was struggling with gambling, so I've thought about where they should've known.
- Although the day-to-day spending on the account differs from previous months, I wouldn't have expected Barclays to have monitored the account that closely, or to have stepped in and blocked these transactions. One of the reasons we might expect a bank to step in and monitor an account, is if it was overdrawn, and or the customer was applying for lending and credit to help manage the account. That wasn't the case here, so I don't think anything would've flagged up or notified Barclays that Mr M was struggling with gambling.
- I note there was an extra care marker on Mr M's account, but this doesn't relate to

gambling spending, or managing finances. This was applied to the account to notify members of staff that extra care might be needed when communicating with Mr M. Therefore, I also don't think Barclays should've been monitoring the account more regularly because of this marker, or that they should've known Mr M was struggling with gambling.

- Overall, I'm satisfied that Barclays weren't notified of Mr M's problems with gambling. I also don't think it should've known from the way the account was being managed.
- I note Mr M has raised concerns about the way Barclays handled his complaint, including that they provided incorrect dates of calls he had with them and not being able to provide a copy of the call.

But, like the investigator, I don't think this is something that this Service can consider. There are limits to the types of complaint our Service can consider. These limits are set for us by the FCA and apply to activities that are regulated by the FCA. The FCA's Dispute Resolution (DISP) rules outline what activities fall within this Service's jurisdiction (DISP 2.3). Complaint handling is not one of the activities listed as a regulated activity. Therefore, we cannot consider complaints about the way a business has handled or responded to a complaint.

My final decision

For the reasons I've explained above, I do not uphold this complaint.

There are parts of this complaint, I do not have the power to consider.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 25 October 2024.

Rachel Killian
Ombudsman