

Investigation Outcome – A Rare Cause v Barclays Bank UK PLC

PNX-4985056-C4B7

6 June 2024

The Complaint

A Rare Cause (ARC) has complained about Barclays Bank UK PLC's (Barclays') new account onboarding process. ARC said that the bank has no intention of opening the account, and that it is hiding behind regulations and continually asking for information. The charity also said Barclays refused to sign a non-disclosure agreement (NDA).

The Outcome

I've carefully reviewed the evidence and arguments from both sides and having done so I'm not persuaded Barclays needs to take further action. I know that this has been a time-consuming process for ARC, and that this this will not be the outcome the charity will be hoping for, and I'm sorry for any disappointment that this might cause, but I'm not persuaded the bank has made an error or acted unfairly. I've explained why below.

The Key Points

- Barclays has legal and regulatory obligations to ensure it has sufficient knowledge of its customers, even if there may have been some form of relationship with the bank previously. This can, at times, include requests for information or checks that customers may not deem necessary. However, it is a commercial decision that Barclays is able to make on what it needs and what checks it chooses to take to comply with its obligations, and it is ultimately for the bank to decide if it is willing to open an account or not.
- ARC has said the bank has hidden behind regulations, and that it has no intention of opening the charity's account but based on the evidence I've seen I'm not persuaded that this is the case, and I think it would be unfair of me to say it was.
- I'm also not of the opinion that Barclays is obliged to sign an NDA when considering whether to open a new account or not, and I think it's fair to say that if ARC isn't happy that the bank wouldn't sign this, then they could, if they choose, seek an alternative provider, which is something I understand they have done. That said, the bank is expected to comply with GDPR requirements when handling the information it receives as part of the account opening process.

This is the opinion of **Investigator Matt Lee**. Unless either party wants to take things further, there's no need to do anything and this case will close on 13 June 2024. If either party disagrees and wants an Ombudsman to consider the case, they must inform us — and submit any further evidence or representations — by 13 June 2024. Requests for more time must also be made by that date. More details on how the Financial Ombudsman Service makes decisions can be found [here](#). It may take a few months for a case to reach an Ombudsman.