



Case study: Banking

BANK'S DELAY IN ACCEPTING A POWER OF ATTORNEY OVER A BANK ACCOUNT CAUSES LOSSES

Themes: Power of Attorney; account closure; investment opportunity loss.

This complaint relates to a bank's delay in giving an executor access to a bank account which resulted in lost investment opportunities and additional administration costs.

In July 2022, the executor of Mr S's estate obtained a 'Power of Attorney' and as the authorised representative of Mr S's estate, proceeded to request the closure of Mr S's bank account and the transfer of the funds for investment.

In September 2022, having not received a reply and having no access to Mr S's bank account, the executor again contacted the bank. In October 2022, as no further response had been received by the executor, he submitted a formal complaint to the bank. A few weeks later, the bank finally responded and requested additional documentation from the executor in order for them to process the request. The executor provided some documentation but was in communication with the bank regarding part of the bank's requirements.

These communications continued, but in December 2022 the bank advised the executor that they had resolved their complaint. However, the executor still did not have access to Mr S's bank account and referred their complaint to CIFO. The executor requested that the bank immediately close Mr S's bank account, provide compensation for the lost investment opportunities caused by the delays and the executor's costs incurred whilst dealing with the bank; this amounted to approximately £3,000.

CIFO commenced its initial review, but the complaint was settled by the bank directly when they made a further offer to the Mr S's executor, which was accepted before CIFO had completed its investigation.