

Complaint

Ms H is unhappy that Barclays Bank UK PLC hasn't refunded multiple transactions from her account that she says were fraudulent.

Background

In June 2020, Ms H received three substantial payments from the Department for Work and Pensions. The total value of those three payments was just over £11,000. Ms H says that this money then left her account very quickly. She hasn't been able to pinpoint the specific transactions that she didn't make, and she told us that she has had memory problems in the past. However, she says that she wouldn't have spent such a large sum of money in such a short period of time.

She told us that she's had issues with over-spending in the past and asked Barclays to block any attempted gambling payments from her account back in 2019. Ms H said that Barclays should've been more supportive when she received such a large sum or offered her advice on what to do with the money.

Barclays didn't think it had done anything wrong and so it said it wouldn't refund her. Ms H disagreed with that and so she referred a complaint to this service. It was looked at by an Investigator who didn't uphold it. Ms H had told the investigator that her card hadn't been lost or stolen, she hadn't shared her PIN with anyone, and she hadn't allowed anyone else access to her online banking facility.

The Investigator said that, in view of that, it was difficult to see who could've made the payments from the account other than Ms H. Overall, she concluded that it was likely the spending was authorised and so it was fair and reasonable for Barclays to not pay her a refund. Ms H disagreed with the Investigator's opinion and so the complaint has been passed to me to consider and come to a final decision.

Findings

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 come to the same overall conclusion as the Investigator. Barclays can only hold Ms H liable for any payments out of her account if she authorised them. I can't know for certain what happened to the money that was paid into Ms H's account – so I need to look at what was most likely to have happened.

Ms H told our Investigator that she didn't share her card, PIN or online banking details with anyone and so it's difficult to see how a fraudster could've been responsible for this spending.

It's also significant that the spending took place over an extended period – I'd typically expect a fraudster who had gained access to someone's bank account to withdraw as much money as possible. It would certainly be unusual for a fraudster to have taken Ms H's card on multiple occasions made modest withdrawals and then returned the card to her

afterwards. The risk of being detected when doing so would be too high, so I don't think the evidence suggests that these payments were made by an opportunistic fraudster.

I know that Ms H says she didn't make these payments but it's hard to see how they could've been made by anyone other than her. So, while I can't know certain, I think it's fair and reasonable for Barclays to hold her liable for these payments on the grounds that she authorised them.

I know Ms H says that Barclays should've been supportive of her when she received such a large amount of money into her account. However, it wasn't required to provide her with financial advice so I don't think it's done anything wrong here. I have noted that Barclays has agreed to pay £100 in recognition of the way it's handled things up until now and Ms H is free to accept that offer if she wants to do so.

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 Ms H to accept or reject my decision before 26 May 2022.

James Kimmitt
Ombudsman