

## **The complaint**

Mr A complains that National Westminster Bank Plc failed to refund a transaction he didn't recognise.

## **What happened**

Mr A was attempting to withdraw money from an Automated Teller Machine (ATM) when he experienced difficulties with it. The ATM didn't dispense the funds he'd requested (£10). Mr A explained how he tried his card and personal identification number (PIN) with the ATM on several more occasions without success. Mr A then left the ATM with his card.

A few days later when Mr A was checking his account he noticed that £250 had been withdrawn via the ATM and didn't recognise making this transaction. Mr A contacted NatWest about the issue and they looked into the withdrawal.

NatWest didn't own the ATM, so asked the machines operator for information about what happened. NatWest received confirmation from the ATM owner that the funds were properly dispensed and there were no reported problems with the machine. NatWest informed Mr A that they wouldn't refund him.

Mr A complained to NatWest about this and NatWest upheld their position and declined to make any refund, so Mr A brought his complaint to the Financial Ombudsman Service for an independent review.

Mr A's complaint was looked into by one of our investigators who asked for information from both parties. Mr A explained what had happened and NatWest provided information from the ATM operator. Overall, our investigator thought the evidence showed the ATM was working properly and the withdrawal was made by Mr A's card, so didn't uphold his complaint.

Mr A disagreed with the outcome and wanted a further review of his complaint, commenting that the ATM operator received poor reviews about their ATMs and he never withdraws £250 at a time.

Mr A's complaint has now been passed to me for a 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 don't think it was unreasonable for NatWest to hold Mr A liable for the withdrawal and I'll explain why.

When Mr A reported the unrecognised withdrawal to NatWest, they contacted the operator of it to check the audit records from the ATM. The operator provided records of activity of Mr A's debit card and included transactions both before and after Mr A used the ATM. Their records didn't indicate there had been a problem.

The audit details showed Mr A's card was entered into the ATM and a balance check was carried out. The card was withdrawn and a few seconds later it was re-entered into the ATM and £250 was requested. The ATM shows the money was successfully dispensed and the sequential counter of the notes shows that 12 x £20 and 1 x £10 note were dispensed, and the card returned. The ATM then shows the debit card being put back into the ATM and after the PIN is entered, the procedure is cancelled, and the card returned.

In light of Mr A's comments about the performance of the ATM operator, I asked for further information about the ATM and whether any foreign devices had been detected at that ATM. These devices are often referred to as "cash traps" and can be attached to machines by thieves to divert funds. The ATM operator was able to confirm that there were no reports of devices attached to the ATM Mr A used or another one operated by the same company that was nearby. Internal records were also checked to see if anyone else had reported similar issues and nothing was found.

The ATM operator was able to confirm the machine was physically checked a few days after Mr A's use of it and found to be working properly. The various amounts of cash left in the machine tallied with what had been dispensed. Effectively the machine balanced.

So, the evidence I've been able to examine shows the ATM was working properly and the £250 was dispensed. I can't know what happened when Mr A was at the ATM, but as he took his card after the ATM showed the funds were dispensed, I don't think it's likely they were taken by anyone else near the machine.

Taking everything into account, I think it was reasonable for NatWest to hold Mr A liable for the £250 withdrawal and I won't be upholding this complaint.

### **My final decision**

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 8 July 2022.

David Perry  
**Ombudsman**