

The complaint

Mr F complains Starling Bank Limited didn't do check he was OK or to stop him when he gambled tens of thousands of pounds in a single month.

What happened

Mr F had an account with Starling Bank in 2018. He has Autism and Asperger's.

Mr F complained to Starling Bank in March 2023 that it had allowed him to gamble away £35,000 in March 2018. He said Starling Bank knew he had Autism and Asperger's and that gambling away this amount of money had had an enormous impact on him. He wanted his money refunding and compensation.

Starling Bank looked into Mr F's complaint and said that it had introduced a feature that allowed customers to block all card transactions to registered gambling merchants in June 2018 and that this feature has evolved since then, but that it wasn't available in March 2018. Starling Bank also said that at the time it didn't perform regular checks on accounts for gambling related activity – only checks to identify suspicious or fraudulent transactions. So, as Mr F hadn't made Starling Bank aware he was having difficulties, and as there was no indication he needed additional assistance, it didn't agree it could or should have done more.

Mr F was unhappy with Starling Bank's response, so he complained to our service.

One of our investigators looked into Mr F's complaint and said that they could see £20,000's worth of gambling transactions – not £35,000 – and that they could also see a lot of transactions to a third party. Mr F said that the £35,000 he mentioned was a "ballpark figure" based on his overall spending and that if our investigator had found £20,000 then £20,000 was correct. He also said the other transactions were to his then partner – and that he'd send her money to stop himself gambling it but would then ask for it back and gamble it.

Based on everything they'd seen, our investigator said that they didn't recommend that this complaint be upheld. Mr F asked for his complaint to be referred to an ombudsman for a decision. He said he'd told Starling Bank in March 2018 about his Autism and gambling. So, his complaint was passed to me.

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.

Mr F opened a Starling Bank account in March 2018. Shortly after doing so – on 9 March 2018 – he called to check that his account wouldn't be frozen if a large sum of money was paid into his account. Starling Bank has sent us a copy of that call. I've listened to it.

At the beginning of the call Mr F says he's loving his account, but that he's worried about certain aspects as it's new. He says he's expecting £2,600 to come into his account – he explains he does a lot of online gambling and that he's just won £2,600 – and he wants to check his account won't be frozen if he receives that money as he has children and bills to pay. He says he's read reviews from customers saying they've had their accounts frozen after receiving large amounts of money. The agent puts Mr F on hold briefly and then comes back and confirms that Starling Bank might contact him to get more information about the money and where it comes from but that it shouldn't be a problem. Mr F thanks the agent.

Mr F mentioned this call to our investigator and said that was when he told Starling Bank about his Autism and gambling. I accept that he mentioned he gambles – he even says he does a lot of online gambling. He doesn't say he has a gambling problem though – quite the opposite. His call is all about checking his account won't be frozen if he pays £2,600 into his account that he's just won. There's also no mention of his Autism. As far as I can see, the first time Mr F tells Starling Bank he has Autism is in 2023. There's also nothing in the call to indicate that he has any vulnerability. Mr F contacts Starling Bank again on 14 August 2018 using its chat service – to check there won't be a problem if a "big amount of money" enters his account. He's told that should be fine.

I can't say for certain what would have happened if Mr F had told Starling Bank that he had a gambling problem in March 2018. Starling Bank didn't offer its customers the ability to block card payments to gambling merchants back then – it introduced that feature in June 2018 and was one of the early banks to do so. I would, however, have expected Starling Bank to be on the look out for unusual or potentially fraudulent payments at the time. Having reviewed Mr F's statements, however, I can't say that the activity on his account weren't unusual – his account was very active with lots of transfers in and out. So, I agree with our investigator that it would be unfair to have expected more from Starling Bank at the time.

My final decision

My final decision is that I'm not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr F to accept or reject my decision before 29 February 2024.

Nicolas Atkinson
Ombudsman