

## **The complaint**

Miss M complains that National Westminster Bank Plc failed to put a gambling block on her account when she requested it and as a result she was able to gamble and lost a considerable sum of money.

## **What happened**

Miss M has a gambling addiction. She says that when she was issued with a new debit card by NatWest following her losing the old one, she tried to put a gambling block on the card. As she couldn't do this on the app, she contacted NatWest and asked for the block to be put on. She says this was around 25 May 2023.

NatWest initially responded to Miss M's complaint on the basis that she had had a block on her old card but it had failed to advise her that it wouldn't automatically be transferred to the new card. Miss M said that in fact no block had been in place on the old card but that she contacted NatWest to get the block put on the new card. NatWest essentially accepted that the block should have been put on the card from 25 May 2023. The block was not actually put on the card until 23 June 2023. In the meantime Miss M had carried out substantial gambling transactions. I understand that after this NatWest appointed a Community Protection Officer to support her and act as a point of contact.

NatWest refunded a total of £1,816.61 in four separate payments to refund the money Miss M had spent on gambling from 25 May 2023 until the block was put in place. It did point out that she had had credits totalling £1,400 from the gambling websites.

On referral to the Financial Ombudsman Service, our Investigator said that NatWest had acted fairly, taking into account the payments it had made and the credits Miss M had received from the gambling websites.

Miss M did not accept this, she felt that the compensation did not take into account the circumstances of the case and how upset she had been because of NatWest's failures. She pointed out that the credits she'd received from gambling websites were her winnings

The matter has been passed to me for an Ombudsman's consideration.

## **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, with regret for the upset I know this will cause Miss M, I don't think that NatWest has acted unfairly in respect of dealing with her complaint or in respect of its payments of compensation to her.

I have listened to the call recordings with Miss M that NatWest has sent to us for the period in question. There are several calls for 9 May 2023, but there is no mention of the gambling block in those calls. They mostly concern Miss M's inability to use the banking app following

her receipt of a new bank card which was due to the fact that she had lost her mobile phone and could not receive security codes. Miss M says that she asked for the block around about 25 May 2023. As NatWest has accepted that date, I think it fair to find that the block should have been put on her account then.

NatWest has refunded £1,816.61. By my calculations this is about £260 less than Miss M spent on gambling over the period from 25 May 2023. And I have noted that she was able to carry out a number of gambling transactions on 26 June 2023, some three days after the block was supposed to have been put on. However there may have been a delay in the block becoming active.

However I have taken into account that Miss M received winnings of £1,400 during this time. This is money she wouldn't have received had she not been able to gamble. In assessing appropriate compensation, I have considered this as it does mean that the loss that Miss M made by being able to gamble was lower than it could have been. And NatWest has refunded her more than she spent on gambling which it wasn't obliged to do.

The purpose of this service is to put people back into a position they would've been in had mistakes not happened. In this instance Miss M is now in a better position, because NatWest has refunded more than it needed to. I've also taken account of the fact that she was able to gamble for a month before raising the issue with NatWest and I do think that it would have helped her if she had done this sooner.

I don't want to make light of Miss M's distress that her addiction has caused her. But I do think that NatWest acted appropriately in dealing with Miss M's complaints. And she hasn't lost out because of the compensation she has received.

### **My final decision**

As I think that National Westminster Bank Plc has paid appropriate compensation, I don't intend to require it to take any further action.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss M to accept or reject my decision before 8 February 2024.

Ray Lawley  
**Ombudsman**