

## **The complaint**

Mr P complains that National Westminster Bank Plc (as the recipient bank) didn't do enough to prevent the loss he suffered when he fell victim to a scam.

Mr P has used a representative to bring his complaint, but for ease of reading, I'll mostly just refer to Mr P himself where I also mean the representative.

## **What happened**

The detailed background to this complaint is well known to both parties. So, I'll only provide a brief overview of some of the key events here. In 2021, Mr P says he was the victim of a scam. In October 2021 Mr P made a payment from his account held with a bank outside the UK. The payment credited an account with NatWest on 12 October 2021 as £50,012. Mr P says that at the time he believed this was towards a property investment, he now alleges that this wasn't genuine and that he's been scammed.

In November 2023, through his representative, Mr P complained to NatWest. He alleged they'd not done enough to prevent the loss he suffered. This included that they should have done more when opening and the subsequent monitoring of the account. NatWest responded to the complaint and didn't provide any redress. In summary they said they hadn't made any errors.

Unhappy with this response, Mr P referred the matter to our service. One of our Investigators didn't think we could consider all of Mr P's complaint. And for what we could consider, she didn't recommend it should be upheld. Mr P disagreed with this and asked for an Ombudsman to review his complaint.

I've already issued a jurisdiction decision setting out the extent to which I can consider Mr P's complaint.

## **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've reached the same outcome as our Investigator and for largely the same reasons. I know this will be disappointing for Mr P, so I'll explain why.

Firstly, whilst Mr P has alleged he's been the victim of a scam, this isn't something I think I need to make a finding on to fairly decide this complaint. If the property investment was just a failed business venture, there would've been no basis upon which I could reasonably have expected NatWest to have intervened in the account and its operation. And if this was a scam as alleged, for the reasons I'll come to, I still don't think that Mr P's loss is something NatWest are responsible for.

NatWest have searched their systems and they say they never received any notifications of payments being made into this account as a result of a fraud or scam (until Mr P approached them with his complaint in 2023). I accept this and so I don't think there was any failure to respond to any relevant reports by NatWest in the circumstances here.

I've also reviewed the account activity (within the scope of my jurisdiction to do so.) There were payments to accountants, payments to service lending and payments to and from HMRC. All the activity was in line with what might reasonably be expected for an account of that type. And there was nothing in that activity that I think was so unusual, suspicious or indicative of misuse of the account such that NatWest ought to have intervened or otherwise have done more in such a way that any loss to Mr P would've been prevented.

And by the time Mr P made NatWest aware of the issue with his payment into the account, no funds could've been returned as the account was closed. So I don't think there was anything that NatWest reasonably could have done at that point to further assist Mr P to try to recover his funds.

I'm sorry to hear Mr P has lost his money, but as I don't think there were errors by NatWest which caused this, or that it is otherwise fair and reasonable for me to make an award, I'm not going to direct that they need to do anything further to resolve this complaint.

### **My final decision**

For the reasons outlined above, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr P to accept or reject my decision before 6 February 2025.

Richard Annandale  
**Ombudsman**