

## The complaint

Miss B has complained that Revolut Ltd. (“Revolut”) failed to protect her from falling victim to an employment-related scam.

## What happened

The background of this complaint is already known to both parties, so I won’t repeat all of it here. But I’ll summarise the key points and then focus on explaining the reason for my decision.

Miss B has used a professional representative to refer her complaint to this service. For the purposes of my decision, I’ll refer directly to Miss B, but I’d like to reassure Miss B and her representative that I’ve considered everything both parties have said.

Miss B explains that in July 2023 she was contacted by an individual posing to be from an employment agency, offering Miss B an employment opportunity. Miss B says that as she’d used the agency before she didn’t find this unusual. Miss B expressed an interest in the role, and she was then contacted by another individual (“the scammer”) who she says was polite and friendly, and explained the role involved rating products to make them more appealing to potential buyers. She explains she was told she’d need to complete a set number of tasks per day, and that she’d need to purchase these tasks using cryptocurrency, but that she’d be given an amount of cryptocurrency to get her started and she’d be reimbursed for what she’d bought alongside her profits. She’s further explained that there were no warnings about the company on the regulator’s website and she also couldn’t find any negative information when researching the company.

Miss B was given access to a “work platform” where she was required to complete the tasks allocated to her and she says this platform gave further information about the company, other career opportunities, and more information about the work they allegedly carry out. She was also told she’d need to create an account with a popular cryptocurrency provider in order to withdraw her profits, which she did, and she says she was added to a group chat in which other alleged employees shared details of the profits they were earning.

Once she’d started the role Miss B explains that she was presented with the opportunity to review “combination” products, which she could earn more commission for reviewing, but these would cost her more to buy. She was again told she’d be reimbursed for this alongside her profits. To complete the purchases Miss B says was told she needed to convert funds into cryptocurrency, and the work platform would give her information on who was offering the most competitive conversion rate and give her bank details on who to transfer funds to in order to complete the currency conversion. Miss B did this five times.

Miss B made the following payments:

Date	Amount
29/07/2023	£40.28
30/07/2023	£250

30/07/2023	£232
31/07/2023	£1,350
31/07/2023	£3,000
<b>Total</b>	<b>£4,872.28</b>

Miss B explains that after she made the fifth payment she was presented with another opportunity to review a more expensive “combination” product – but this was significantly more expensive than any of the previous products. She says it was at this point that she realised she’d been scammed.

Miss B made a complaint to Revolut as she didn’t think it had given her sufficient warnings to protect her from this scam. Revolut didn’t uphold the complaint as it said it had warned Miss B each time she set up one of the new payees, and it showed her additional warnings for the fifth payment. But Miss B remained unhappy so she referred the complaint to this service.

Our investigator considered everything and didn’t think the complaint should be upheld. He explained that he thought Revolut’s warnings were proportionate bearing in mind the type and amount of payments Miss B made.

As Miss B didn’t accept the investigator’s opinion, the case has been passed to me to make 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.

I’m sorry to disappoint Miss B but having considered everything I’m afraid I’m not upholding her complaint, broadly for the same reasons as our investigator, which I’ve set out below.

In broad terms, the starting position is that a firm is expected to process payments and withdrawals that its customer authorises, in accordance with the Payment Services Regulations and the terms and conditions of the customer’s account. And in this case it’s not in question whether Miss B authorised these payments from leaving her account. It’s accepted by all parties that Miss B gave the instructions to Revolut and Revolut made the payments in line with those instructions, and in line with the terms and conditions of Miss B’s account.

But that doesn’t always mean that the business should follow every instruction without asking further questions or intervening to ensure requests coming from their customers are firstly genuine, and secondly won’t result in harm.

Each payment Miss B sent was to a newly created payee – so Revolut says that each time it gave her a warning about fraud. This warning said *“Do you know and trust this payee? If you’re unsure, don’t pay them, as we may not be able to help you get your money back”*. Miss B had to confirm acceptance of the warning before proceeding to make the payment. Given the size of these four payments I think this written warning was a proportionate intervention to allow Miss B to stop and reconsider the payments before sending them, if she’d wanted to.

Revolut also says it detected that the fifth payment may’ve been more suspicious than the first four so it asked Miss B some further questions about the reason for the payment and showed her additional warnings related to the answers she gave. I note the process started with the message “Your transaction has been flagged by our system as a potential scam. To

continue, we need to ask you some questions". Revolut then asked Miss B to confirm she'd answer truthfully, and some further questions including the reason for making the payment. She confirmed she hadn't been asked to install any software, she hadn't been told her account wasn't safe, and that she had control of the receiving account. She was then shown five screens specific to this payment type, including "Be wary of unexpected calls" which she needed to tap to acknowledge before completing the payment instruction.

I do note that in response to these question, Miss B told Revolut she said she was making the payment to her own account rather than to a third party or as part of an employment opportunity. So whilst the tailored warnings weren't particularly applicable to the actual scam Miss B was falling victim to, I don't hold Revolut responsible for that.

I think this was a proportionate intervention in this case. The fifth payment was quite a bit larger than those before it, but not so large that I think Revolut ought to have blocked it or insisted Miss B spoke to someone before the payment was sent. The warnings it gave Miss B were tailored to the type and purpose of the payment based on what Miss B had told it, albeit the reason she gave wasn't entirely accurate, and it wouldn't be practical for Revolut to intervene more robustly in a payment of this size.

Having considered everything, I don't think Revolut ought to have done more to warn Miss B or prevent the scam from taking place.

I say this because Miss B opened the account with the sole purpose of completing the payments in question. Whilst that in itself doesn't mean she's responsible for what happened, it does mean that Revolut didn't have any account history for Miss B in order to fully understand the picture of how Miss B typically used her account. In addition, Miss B told Revolut when she opened the account that one of the things she'd use the account for was transfers – which is what were completed here. So given that the activity was in line with what Revolut expected, and the first four payments were for fairly unremarkable amounts, I think the general scam warning message that Revolut displayed was a proportionate step to warn Miss B about the existence of scams.

In relation to the fifth payment, as this was for a larger amount and was made on the same day as the other, second largest payment, I think it was reasonable for the payment to flag to Revolut as suspicious and for Revolut to take things a bit further than showing the same warnings it had shown previously.

I note Miss B's point that Revolut should've known she wasn't making the payment to her own account based on the account name she was sending the funds to. But this appeared to be a business account – and as payments are sometimes sent to a receiving bank's holding account and then allocated to an individual's account, this doesn't change my decision.

Finally, I've considered whether Miss B did enough to satisfy herself that the job opportunity she was allegedly sending money to take part in was genuine and wouldn't result in her losing that money.

I accept that Miss B had previously used the recruitment agency that allegedly contacted her when she was looking for work, but it's very unusual for a recruiter to contact a prospective candidate and offer them a job through a messaging app, without having spoken to them about it. I'm also not aware that Miss B received any kind of paperwork or employment contract showing what she thought she'd been offered, or what she'd agreed to in return. This, as well as having to pay cryptocurrency to earn money in return, isn't a plausible scenario. So don't think Miss B did enough to protect herself from financial harm.

### Recovery of the funds

Revolut told Miss B it was unfortunately unable to recover the funds from the recipients' accounts when it was made aware of the scam. As the fraud wasn't reported until over a week after it took place. Based on Revolut's explanations, I'm satisfied it did what it could to recover the funds, but unfortunately it wasn't able to.

I'm very sorry that Miss B has fallen victim to this scam and I do understand that my decision will be disappointing. But for the reasons I've set out above, I don't hold Revolut responsible for that.

### **My final decision**

I do not uphold Miss B's complaint against Revolut Ltd.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss B to accept or reject my decision before 17 September 2024.

Sam Wade  
**Ombudsman**