

## **The complaint**

Mr P complains that The Co-Operative Bank Plc didn't treat him fairly when he fell victim to a scam in 2023.

## **What happened**

Mr P holds an account with Co-op. In 2023 he received a call purportedly from Co-op saying his account was at risk, and he subsequently was tricked into paying what he was led to believe was a safe account. He has explained that he was in a particularly vulnerable situation when this happened.

Mr P reported the matter to Co-op the same day, 18 October 2023 at around 6pm. He called Co-op again several times over the following weeks.

Co-op refunded the money Mr P had lost in full on 30 October 2023.

Mr P wasn't satisfied with the treatment he'd received. He explains amongst other things that:

- Co-op should never have allowed this sum of money to leave his account without carrying out additional checks. It should have identified this as suspicious activity;
- the bank didn't accept its failings and he was left concerned his account remained vulnerable. He'd not been reassured by Co-op that this wouldn't happen again;
- he'd only resolved the matter after emailing the CEO;
- until then he'd been repeatedly "fobbed off" when he'd called for updates, after waiting a long time for his calls to be answered;
- on at least two occasions he'd been disconnected after waiting for over 30 minutes for his calls to be answered;
- only one attempt was made to call him, and that had been unsuccessful;
- he'd had to cover the lost funds through arranging an overdraft;
- the lost money had been returned to him without making him aware first;
- he didn't think Co-op had carried out what he'd been told about his card and account; and,
- he'd been through considerable stress in the circumstances but the bank had shown limited empathy or consideration.

Co-op considered Mr P's complaint. It didn't accept all of the points he made. It said it hadn't made a mistake in allowing the payment to go through. While it had fraud prevention measures in place, the payment had gone through two layers of authentication before it had

been processed and the bank hadn't known it was fraudulent.

It said it had let Mr P know when he'd called on 20 October that it had already reached out to the beneficiary bank in an attempt to recover his money. It had told Mr P this would take time and that it would be in touch again when it had further information about the success of this attempt. It didn't accept that it had made mistakes that had resulted in Mr P being unable to access his bank account.

But it accepted that its call wait times were unacceptably long and accepted he'd been unexpectedly disconnected. It hadn't answered his complaint promptly either, and hadn't blocked his card as quickly as it should have. Co-op offered Mr P the sum of £100 in compensation to recognise its failings.

Mr P didn't think this was fair. He asked the Financial Ombudsman Service to review the complaint.

Our Investigator looked into Mr P's complaint. He considered what Mr P had said and reviewed the information provided by Co-op. He noted the impact of the scam on Mr P. But he thought the bulk of the impact of the scam had resulted from the criminal actions of those responsible for the scam. He thought the calls between Mr P and Co-op had been handled sensitively. While there was a delay in blocking his card, no losses had resulted.

He thought that Co-op's offer of £100 in respect of the distress and inconvenience caused was fair in the circumstances.

Mr P didn't agree. He noted that £100 wasn't even 10% of the sum that had gone missing. The lack of contact by Co-op during its investigation of the scam showed total lack of regard and empathy for his worrying situation at the time. He didn't believe £100 was in line with the example awards described on the Financial Ombudsman Service's website. A fairer award would be £500.

In light of this disagreement, I have been asked to make a final decision on the matter.

### **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.

At the outset, I want to acknowledge that in what happened, Mr P was absolutely the victim here. This was an extremely cruel and sophisticated fraud. It took advantage of him at time when he was vulnerable. Aside from the steps he had to take in consequence, the fraud had serious emotional and financial impacts on him. I have considerable sympathy for Mr P, reading what he describes.

In this case, Co-op took steps to redress the financial losses that resulted from the actions of the fraudster. The distress Mr P details primarily relates to the impact on him of what had happened, together with Co-op's handling of its investigation, its communications and processes.

As an ombudsman, when I'm looking at making an award for distress and inconvenience as Mr P have asked me to do here, I can only do so where that flows from an error by the financial business involved. Co-op acknowledges making some errors here, although Mr P says it was at fault in other matters than just those it accepts.

A scam such as happened is a hugely distressing and traumatic event. Anyone who's been

the victim of such a crime will need care and respect in the treatment they receive afterward from their bank.

That being said, I need to bear in mind that in our day to day lives not every interaction goes as smoothly as hoped. A degree of error, frustration and annoyance is unavoidable and part of everyday experience. For me to think it is fair to make a financial award for something going wrong, I'd need to think that it went significantly beyond that normal level of inconvenience. I am required to reach my findings based on what I consider to be fair and reasonable in all the circumstances of the complaint before me.

With all of that in mind, I've reviewed the history of the claim and complaint, and I've listened to the available call recordings. Having done so, I am in agreement with our Investigator – the errors made by Co-op are those it has already accepted fault for, and the evidence doesn't persuade me it is at fault for other reasons.

That leads on to the question of the fair award for distress and inconvenience. This is not a simple matter to determine accurately, and no amount of money can change what has happened.

Mr P wasn't refunded immediately, but he was refunded fully by Co-op before the matter was referred to this service. By contrast the example given on our website of an award of £500 was one where the bank did not refund at all, until we had become involved and found it ought to have done so at the time. Correspondingly, that consumer had been left unsure they'd receive any refund at all for a far longer time than applied in Mr P's case. And that firm's final answer had been that it would not refund the consumer. The scenario is different.

Each complaint will differ in its details. As a result, this service assesses a complaint based on the specifics of the case – no precedent is set by a previous complaint determination.

In setting matters out in this way, in no way do I dismiss the impact these events had on Mr P. I absolutely accept what he says about how this made him feel, how frustrating and distressing it was and that Co-op could have done better at a time when he really needed to feel supported by the bank.

But I don't think Co-op's offer of £100 is unfair in all the circumstances. I think it reflects what went wrong, and the time over which that impact was felt. I don't require Co-op to pay an increased amount. The vast majority of the impact Mr P suffered was the result of the criminal scam he was subjected to. I can't fairly hold Co-op responsible for those scammers' actions, or perhaps apply a percentage calculation to the value of the payment. To reiterate I can only make an award against Co-op for its failings or faults as I see them.

I know this will be a disappointing answer for Mr P. I know from what he has already said how strongly he feels about this. But I consider Co-op has already made an offer that I find was fair and reasonable in all the circumstances and I don't require it to do more.

If Mr P now wishes to accept Co-op's offer of compensation and has not already been paid that sum, he may now contact Co-op directly to arrange this.

For the reasons given above I do not uphold Mr P's complaint about Co-op. I do not require it to pay him more compensation than it has already offered him.

### **My final decision**

I do not uphold Mr P's complaint about The Co-Operative Bank Plc.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr P to accept or reject my decision before 25 April 2025.

Stephen Dickie  
**Ombudsman**