

The complaint

Mr G complains HSBC UK Bank Plc is holding him liable for transactions he says he didn't carry out or authorise.

What happened

Mr G had an account with HSBC which he says he barely used as he treated it like a savings account. His account was closed after he raised this complaint.

Mr G says he tried to use his card in July 2023, and it was declined. He says he contacted HSBC and was asked to go into branch and that he discovered approximately £29,000 had left his account between January 2023 and May 2023. He said that the transactions weren't ones he'd carried out or authorised.

HSBC looked into Mr G's claim and said that it wasn't going to refund them as it was unable to determine a point of compromise. Mr G complained. HSBC looked into Mr G's complaint and said that its decision remained unchanged. He complained to our service.

One of our investigators looked into Mr G's complaint and agreed that there had been no obvious point of compromise. In the circumstances, they didn't think that HSBC had acted unfairly. Mr G wasn't happy with our investigator's view and asked for their complaint to be referred to an ombudsman. His complaint was, as a result, 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 G has told us that he'd had an account with HSBC for over five years at the time he discovered the payments he's disputing. I can see that he received £29,000 into his account in 2019 and that almost all of this money was withdrawn via ATMs. Mr G received a refund from HSBC. There was then very little activity on his account for three years at which point his telephone security was re-set and over the following five months almost all of his £29,000 was withdrawn via telephone banking.

I can see that HSBC investigated the telephone banking payments that Mr G is disputing. Based on everything I've seen, I don't think HSBC acted unfairly or unreasonably when it said it wasn't going to refund these payments. The evidence suggests that Mr G consented to these payments or allowed someone else to access his account. So, I agree this isn't a complaint that we can uphold.

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 G to accept or reject my decision before 5 November 2024.

Nicolas Atkinson
Ombudsman