

## **The complaint**

Mr G complains Barclays Bank UK PLC (“Barclays”) refuses to refund him for an ATM dispute, where he said the funds were not dispensed but the amount was debited from his account.

## **What happened**

Mr G says he tried to withdraw £500 using his Barclays debit card from an ATM on 28 July 2023. Mr G says no cash was dispensed from the machine, but £500 was debited from his Barclays account balance. Mr G says this situation has been distressing and he is suffering financially as a result of this lost money.

Mr G also complained about Barclays’ handling of his complaint, and the fact that he had been promised a call back many times, but he never received one.

Barclays has provided evidence from the ATM operator, and Barclays says it’s satisfied that the money was dispensed. Barclays has also acknowledged that the service it provided has fallen short of what’s expected and it offered Mr G £250 compensation and an apology for this.

Our investigators considered this complaint on two separate occasions, and both investigators felt that this complaint should not be upheld. Mr G disagreed so the complaint has been passed to me for a final 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.

My role is to look at all the evidence, and then reach a decision that takes this into account and is fair to both parties. That means I consider Barclays’ position as much as I do Mr G’s. And what Mr G’s asking for here is for Barclays to use its own funds to pay him back money that he says wasn’t dispensed from the ATM.

Where there’s a dispute about what happened, and the evidence is contradictory, I must make my decision on the balance of probabilities – in other words, what I consider most likely to have happened in light of the available evidence.

Mr G’s evidence is that the £500 requested at the ATM was not dispensed. Mr G has questioned whether there was something wrong with the ATM, or if there was a device fitted to it which prevented the money being dispensed to him. I have considered this along with all the other evidence supplied.

Barclays reached out the ATM provider for evidence about the ATM’s operation relevant to Mr G’s transaction. I’ve seen a record of the ATM transaction history which provides the details of Mr G’s transaction on 28 July 2023 at around 6.25pm. This shows a record of Mr G entering his Barclays debit card, entering his PIN, requesting £500, his card being returned,

£500 in cash being dispensed and the cash being taken. The record also shows that the machine counted the £500 requested and dispensed twenty-four £20 notes and two £10 notes. I've also seen a record of the ATM balance check which was completed a few days after Mr G's transaction. This shows that the ATM balanced at that time as there was no surplus or deficit in the money remaining. So, from this, it seems likely that the ATM dispensed the £500 requested.

I've thought about what Mr G has said about the possibility of the ATM being fitted with a suspicious device which could've with-held the money. However, the transaction evidence I've seen shows that there were successful cash withdrawals on the same day shortly before and shortly after Mr G's transaction. And there have been no reported incidents about the cash not being dispensed on either of these occasions. So, it seems unlikely any suspicious device would have only targeted Mr G's transaction. The ATM provider has also not provided any evidence to suggest there was a technical fault with the machine or anything suspicious about it. Therefore, I am not persuaded that there was any reason the cash was not dispensed as recorded.

Overall, I have decided not to uphold this complaint. I appreciate this decision will be very upsetting for Mr G. It's a lot of money, and I understand he's currently in financial difficulty. So, I do have sympathy for his situation. However, I think it's more likely than not that the money requested was dispensed from the ATM in question and so this is the only fair outcome to this complaint.

### **My final decision**

I am 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 12 June 2024.

Sienna Mahboobani  
**Ombudsman**