

The complaint

Mr A has complained Lloyds Bank PLC promised to review the CCTV after he raised whether he received £500 from a cash machine in December 2023. He's concerned at the poor service he received.

What happened

On 14 December 2023 Mr A went to a Lloyds branch and withdrew £500 from a cash machine. When he got home he realised he didn't have the £500 on him so called Lloyds. He wasn't sure whether he'd got the money at all or lost the money between Lloyds and getting home.

Lloyds told Mr A the branch would call him. This didn't happen. A week later Mr A got back in touch with Lloyds. They raised this formally as a cash machine dispute. They told him he'd get the £500 refunded, but this could well be taken back if it was found the money was properly dispensed.

In January Lloyds told Mr A that following their review, they'd been able to identify that cash had been properly dispensed so they'd be withdrawing £500 from his account. However they accepted their service had been poor. They gave him £30 for the inconvenience caused.

Mr A brought his complaint to the ombudsman service. He felt Lloyds had misled him and hadn't reviewed the CCTV as they said they would. He also felt £30 was insulting.

Our investigator confirmed the evidence showed £500 was dispensed so she had no grounds to ask Lloyds to refund this money. She also felt £30 for the inconvenience was fair.

Still unhappy, Mr A has asked an ombudsman to consider his 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. I'll explain why.

Where there is a dispute about what happened, I have based my decision on the balance of probabilities. In other words, on what I consider is most likely to have happened in the light of the evidence.

When considering what is fair and reasonable, I'm required to take into account: relevant law and regulations; regulators' rules, guidance and standards; codes of practice; and, where appropriate, what I consider to have been good industry practice at the relevant time.

The regulations which are relevant to Mr A's complaint are the Payment Services Regulations 2017 (PSRs). These require banks and financial institutions to provide evidence that a payment transaction was properly executed.

To help me come to a decision, I've reviewed the evidence Lloyds provided as well as what Mr A has told us.

Our investigator provided a view confirming the evidence she'd seen showing £500 was properly dispensed at the cash machine. I've also reviewed this evidence and agree with this interpretation. The cash machine balanced, and the evidence shows money was dispensed.

By Mr A's own evidence, he wasn't sure when he first called Lloyds whether he'd got the money or lost it on the way home. I'm not sure exactly what Mr A's movements were that day but the evidence shows he withdrew £500 at 13:06 (something he confirmed to Lloyds when he first called them) and then deposited £100 cash back into his account at 14:51. This suggests to me that Mr A had received the cash and then paid some money back into his account to enable a transfer that he made later that day.

I think the evidence suggests Mr A must have mislaid the remainder of the cash he withdrew sometime between 14:51 and getting home.

The other aspect of Mr A's complaint is the service he received. Lloyds has accepted this was poor and gave him £30 in apology. Mr A believes this is inadequate. I don't agree.

I say this because whilst Lloyds didn't deal properly with Mr A's complaint immediately, they did sort things out a week later. I don't feel that further compensation for this delay would be fair.

I know Mr A feels strongly that Lloyds should have reviewed the CCTV evidence. I can't see that he asked this to be done at the time and I should add that this is not generally standard practice. In any case I think if it were to show anything, it would show Mr A received the money he requested.

Based on the evidence I've considered I'm not going to ask Lloyds to do anything further.

My final decision

For the reasons given, my final decision is not to uphold Mr A's complaint against Lloyds Bank PLC.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 25 June 2024.

Sandra Quinn
Ombudsman