

The complaint

Miss W says Metro Bank PLC (Metro Bank) refuses to refund her for transactions on her account she says she didn't authorise.

What happened

Miss W says she received a call from someone who she believed was from Metro Bank. She says they told her they were calling regarding suspicious payments leaving her account and that they would ensure her account was safe. She says they told her a one-time passcode (OTP) would be sent to her, but she says she didn't share this with the person on the phone. Miss W then logged on to her online banking and saw outgoing transfers from her account that she hadn't made. Miss W says she was a victim of a scam, and she wants Metro Bank to refund these payments.

Metro Bank investigated Miss W's complaint; however, it didn't refund the money as it says the evidence suggests Miss W must have made these payments herself or shared her private security information – which would be in breach of the terms and conditions of the account. So, Metro Bank has held Miss W responsible.

Our investigator also considered this complaint and felt the outcome reached by Metro Bank was fair. Ultimately, she could not find persuasive evidence of how Miss W's account was compromised without her sharing any security information. So, on that basis the complaint was not upheld. Miss W didn't agree 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.

Generally speaking, Metro Bank is required to refund any unauthorised payments made from Miss W's account. Those rules are set out in the Payment Service Regulations 2017. Miss W has said she didn't carry out the transactions in dispute, but Metro Bank thinks she did. Therefore, I must give my view on whether the evidence persuades me Miss W did or did not authorise them.

Firstly, I am sorry to hear of Miss W's financial difficulties and the stress and upset this complaint has caused her. However, having considered everything I've received, I am not persuaded these transactions were unauthorised, so I am not upholding this complaint. I'll explain why.

Metro Bank has provided evidence to show that the transactions in dispute were carried out on Miss W's device, the device that has been registered on her account since July 2023. They were completed via online banking, which means the person who carried these transactions out had access to Miss W's online banking account details. It has also evidenced that an OTP was sent out to Miss W's phone, and it was used to set up the new payee who received these funds. And the funds were sent to an account in Miss W's name.

Miss W maintains that she has been scammed. She says she received a call from someone who she believed was from Metro Bank who claimed to help her keep her account safe from unauthorised transactions. Miss W agrees that she received the OTP to her phone, but she is adamant that she didn't share this with anyone, especially the person on the phone. We are aware that these types of scam calls are becoming more and more common, and I am not disputing what Miss W has said. However, usually these scams are only successful because the victim has been tricked into sharing some important security information with them or an OTP.

Miss W says she never shared her security information with anyone else. She says no one else has access to her accounts or her phone. She says she has not downloaded any suspicious apps recently or clicked on any suspicious links. And Miss W says she didn't share the OTP that was sent to her during the call. So, I have no evidence to support what she has said, and without any explanation as to how someone else could've accessed her information I think its fair and reasonable that Metro Bank has held her accountable for these transactions.

I know this outcome will come as a disappointment to Miss W but based on the evidence I've seen I don't think it would be fair to ask Metro Bank to refund the transactions in dispute.

My final decision

For the reasons outlined above, I am not upholding the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss W to accept or reject my decision before 12 November 2024.

Sienna Mahboobani
Ombudsman