

## **The complaint**

Miss K has complained Barclays Bank UK PLC won't refund her for transactions she didn't authorise in February 2024.

## **What happened**

Miss K complained to Barclays after noticing nearly £1,000 worth of transactions she'd not made in February 2024. This coincided with her being away on holiday.

Barclays didn't believe Miss K had responded to them with the appropriate authority to review her complaint further and wouldn't refund the money. Despite Miss K having evidence she had responded to Barclays, she wasn't able to get any further.

Miss K brought her complaint to the ombudsman service.

Our investigator considered the evidence. Barclays' technical evidence showed Miss K logging into her mobile banking throughout the period of the disputed transactions. She wasn't going to ask Barclays to do anything further.

Still unhappy with this outcome, Miss K asked an ombudsman to consider her 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 Miss K's complaint are the Payment Services Regulations 2017 (PSRs). These primarily require banks and financial institutions to refund customers if they didn't make or authorise payments themselves.

To help me come to a decision, I've reviewed the evidence Barclays provided as well as what Miss K has told us. I raised a few other queries more recently with Miss K, but she was unwilling to answer these as she felt providing anything further to our service was a waste of time.

I can reassure Miss K that despite her taking umbrage at the questions I asked, this has had no bearing on my decision on her complaint.

I believe these disputed transactions between 14 and 16 February 2024 were carried out with Miss K's authorisation. I say this because:

- The evidence shared with us by Barclays shows that just before the disputed transactions started, there was a log on onto her mobile account and the transaction limit previously set on her account was removed.
- The nature of the transactions resembles those we often see when someone is using their card details to carry out numerous gambling or gaming transactions.
- Miss K has told us she was on holiday during this period but wouldn't confirm where, so I was unable to check any details relating to the IP address noted on the Barclays' evidence. This evidence has been previously shared with Miss K.
- I note from Miss K's history with Barclays that there's a history of disputed transaction claims. In some cases, these were related to continuous payments. There is a potential for Miss K to have agreed these transactions as part of a continuous payment arrangement.

Miss K was annoyed that Barclays wouldn't consider her complaint just because she'd not responded to their request to provide further information, when she had. I can understand her ire about this aspect but in the end, based on the evidence, I don't believe Barclays receiving what she'd sent would have made any difference to the outcome of her complaint.

Overall, I believe Barclays had sufficient evidence that Miss K authorised these transactions and aren't required to do anything further.

### **My final decision**

For the reasons given, my final decision is not to uphold Miss K's complaint against Barclays Bank UK PLC.

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

Sandra Quinn  
**Ombudsman**