

## **The complaint**

Mr and Mrs L complain that Barclays Bank UK Plc gave inaccurate information about the status of a payment into their account. They say this resulted in them parting with a car they were selling without receiving payment.

## **What happened**

Mrs L was selling a car. On 12 April 2024 she met with a buyer who looked over the car and agreed to buy it. Initially they said they were having difficulties making the payment for the car, but eventually the buyer said they had made a transfer for £35,000 to Mr and Mrs L's account. Mrs L says she checked her mobile banking app and could see the payment had been received, she also says she called Barclays automated line to double check that the payment had been received. She was satisfied it had been received, so she handed the keys over and the buyer left with the car.

The next day Mrs L called Barclays as the £35,000 was not yet available for her to spend or transfer. She was told the funds might not have cleared yet due to the weekend. She called Barclays again a couple of days later, at which time it was clear that the payment had not been a transfer, it had been a cheque, and that cheque had not cleared, it had been returned unpaid. So, Mrs L had lost out on the £35,000 payment she had been expecting to receive.

Mrs L believes that she was given inaccurate or unclear information about the payment by Barclays, which led to her handing over the keys to the vehicle as she believed she'd received payment. Mrs L would like Barclays to take responsibility for her loss.

Barclays maintains that it did not tell Mrs L that the funds had cleared at any stage, it says they would have shown as a pending credit only. It also says that it was not aware the payment had been made via cheque when Mrs L first discussed it with them. And, in any case, that when Mrs L called about the payment it was already too late, as she had already handed over the keys to the car and it was no longer in her possession.

Unhappy with Barclays' response, Mr and Mrs L asked our service to investigate the matter. Our Investigator said that he didn't think Barclays needed to reimburse their loss, he did not consider Barclays had made any errors.

Mr and Mrs L didn't agree and asked that an Ombudsman review their 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.

Firstly, I'd like to say I'm sorry to hear that Mrs L has fallen victim to a scam. I can, of course, appreciate how distressing it must be to have handed over her car and not received payment. I understand that she'd like to do all she can to try and recover her loss, but I can only direct Barclays to refund Mr and Mrs L if I can fairly and reasonably conclude that its actions resulted in that loss. And in the circumstances of this complaint, I don't think I can.

I say this because I've not seen anything to show that the funds paid into Mr and Mrs L's account were showing as available at the time Mrs L handed over the keys to the car. My understanding of Barclays systems is that when the cheque was paid in – on an assisted service device at a Barclays branch – it would show as a credit to the account, but the overall available balance would reflect that it was a pending payment which had not yet been cleared. Barclays has said that, when calling the automated line, Mrs L would also have heard her balance set out as available balance, and pending transactions.

I appreciate Mrs L's position here, but I don't think I can fairly say Barclays did anything wrong in showing Mrs L's account balance in this way. This way of showing a cheque deposit is not unique to Barclays, it applies to most banks, a payment by cheque generally shows in the account balance (before it clears) for interest purposes but will not be shown as available for spending until the cheque has cleared. I understand Mrs L thought the payment was a bank transfer, but that is because the scammer misled her, and I can't fairly hold Barclays responsible for the actions of the scammer. I also understand that, when looking at her app, it was not clear to Mrs L that the credit had been done by cheque, and this seems to be down to the way the cheque was paid in. But even bearing this in mind, the fact remains that Mrs L was not told by Barclays at any stage before handing over her car keys that the funds had cleared or were available for her use.

Taking all of this together I can't say there has been a failing by Barclays which has reasonably resulted in Mr and Mrs L's loss. It processed the cheque as we would expect it to, and provided accurate information on the banking app and on the automated call about the status of the payment. I'm also satisfied that Barclays provided accurate information about the payment – based on what it knew at the time – when Mrs L called it after handing over her car keys to the scammer. And in any case, by then it was too late to have stopped the scam, Mrs L's vehicle had already been lost.

I'm sorry to hear of what has happened to Mrs L, and I want to be clear that I am not saying what happened here was her fault. But I also can't fairly say it is Barclays fault either.

### **My final decision**

My final decision is I don't uphold Mr and Mrs L's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs L and Mr L to accept or reject my decision before 19 September 2024.

Sophie Mitchell  
**Ombudsman**