

The complaint

Mr H complains Santander UK Plc didn't do enough when he fell victim to a romance scam.

What happened

Mr H has an account with Santander. He's been a customer for over 30 years.

Mr H says he divorced his ex-wife in 2019 having had a troubled relationship with her. He says the divorce wasn't at all amicable and that it left him very vulnerable. In April 2020 he says he met someone on a dating website and they talked a lot and had a lot in common and that they started building what he believed was going to be a long-term relationship. The person he was talking to explained that they lived abroad. Mr H says he started sending money to them in May 2020 – after they'd told him they were having difficulties and needed funds to survive – using international money transfer services. He says he ended up transferring money to three different people – a neighbour, then an uncle and then a friend of the family – as was told the money wasn't always coming through.

Mr H sent approximately £20,000 to the person he was talking to in the course of a year. He says he realised he'd been scammed when he ran out of money and they started to threaten him. He contacted Santander in June 2021 to say he'd been scammed and asked for help.

Santander looked into Mr H's case but wasn't able to recover any of his money. Santander also said that as Mr H had authorised international payments these weren't covered by the Contingent Reimbursement Model meaning it wouldn't be able to refund him.

In January 2024 Mr H complained to Santander with the help of a representative saying that it hadn't done enough when he fell victim to the scam. He said that he'd been particularly vulnerable at the time. Santander looked into Mr H's complaint and said it had done nothing wrong. Mr H wasn't happy with Santander's response and so complained to our service.

One of our investigators looked into Mr H's complaint and ultimately said that they didn't think any of the payments he'd made should have been concerning to Santander as they were spaced out over almost a year and not of particularly high amounts. In addition, on the occasion when Santander spoke to Mr H about one of the payments not having been received, our investigator didn't think the agent had missed an opportunity to uncover the scam. Mr H wasn't happy with our investigator's outcome and asked for his complaint to be referred to an ombudsman for a decision. His complaint was, as a result, passed to me.

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.

In a case like this, we'd fairly and reasonably expect Santander to have systems in place that would alert it to any unusual or concerning transactions. Mr H's representatives have said that two of his money service payments were returned in June 2020 and that should have raised concerns. I don't agree. Two returned payments wouldn't in itself be enough to

raise concerns. They've also said that a £3,000 payment on 24 June 2020 should have been of concern. Again, I don't agree. This payment was going to a beneficiary to whom Mr H had sent money to on two previous occasions without any apparent problems and the amount wasn't, in my view, high enough to be of concern given Mr H's normal usage of his account. In short, given what I've also just said, I agree with our investigator that Santander couldn't have fairly or reasonably been expected to stop and question any of the payments that Mr H made given the size of the payments and the fact that they were spread out over a year that.

In this case, I can see that Mr H called Santander about one of the payments he'd made and, as our investigator has said, that means it might have missed an opportunity here to prevent further losses, potentially opening itself up to some liability. So, I've thought about this call. Having done so, I agree with our investigator that Santander didn't miss an opportunity to prevent further losses here. I'll explain why.

Having listened to the call in question, I'm satisfied that Mr H called Santander to find out why a payment he'd made five days earlier hadn't been received. He explained to the agent that it's a payment he does quite often and that he's checking to make sure he's got the account details right. The agent confirms the payment in question is an international payment and the name of the beneficiary – Mr H says that's right – and confirms the account details that Mr H has used are right. They then discuss typical time scales for international payments and whilst they're doing so Mr H explains that the payment is for his wife who's stuck abroad and due to fly back and that's why she's waiting for the payment. I agree that scammers often will ask their victims for money, saying that they're stuck abroad. But in this case, I don't think there was anything that the agent should have been concerned about, or that they should have asked further questions. Both conclude that the payment will likely arrive the following day, and Mr H's explanation isn't concerning from a scam point of view.

For the reasons I've given, I agree with our investigator that Santander didn't do anything wrong in this case, and that this is a complaint that we can't uphold.

My final decision

My final decision is that I'm not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 28 December 2024.

Nicolas Atkinson
Ombudsman