

## The complaint

Mr and Mrs H complain that the Co-operative Bank Plc ("Co-op") hasn't refunded them the money they lost to an investment scam.

## What happened

The detailed background to this complaint has previously been set out and is well known to both parties. So, I'll only provide a brief overview of some of the key events here:

In April 2022, Mr and Mrs H say they fell victim to an investment scam.

After registering his interest with various trading companies online, Mr H received a call from a company I will refer to as "F". F explained that they would help Mr H invest and make large profits which would improve his family's future financial situation. Mr H was given an "account manager" who instructed him to set up an account with a genuine cryptocurrency platform – "B". Mr H was also asked to download third-party viewing software.

Mr H initially invested a small amount which appeared to make a reasonable profit within a week or so. Encouraged, Mr H decided to invest additional funds. However, unfortunately, and unbeknown to Mr and Mrs H at the time, Mr H was actually speaking with scammers.

Over the course of the next six months, Mr H introduced his parents to the investment and used his Co-op account to send both his own and his parents funds to the scammers thinking he was involved in a legitimate trading scheme. In total, Mr H sent over two million pounds to the scammers.

I have detailed all of the payments Mr H made to the scammers in the table below. All of the payments were made from Mr and Mrs H's joint account at Co-op, to Mr H's account at B. The funds were then used to buy cryptocurrency which was sent on to the scammers. As well as detailing the scam payments, I've also included in the table any other relevant points of note:

Date	Amount	Notes
December 2021		Joint account opened with Co-op in branch
24 April 2022	£262.50	
24 April 2022	£1	
24 April 2022	£6.18	
27 April 2022	£10,00	
28 April 2022	£10,500	
2 May 2022		Mr H's parents transfer £400,000 into his third-party bank account & £100,000 into his Co-op account.
03 May 2022	£5,001	
3 May 2022	£19,999	

4 May 2022	£6,000	
4 May 2022	£19,000	
9 May 2022	£6,000	
9 May 2022	£19,000	
17 May 2022	£10,000	
17 May 2022	£10,000	
18 May 2022	£5,000	
18 May 2022	£10,000	
18 May 2022	£10,000	
19 May 2022	£10,000	
19 May 2022	£10,000	
19 May 2022	£15,000	
20 May 2022	£15,000	
23 May 2022	£5,000	
23 May 2022	£15,000	
1 June 2022		Mr H attempts to make a large transfer from his third-party bank account. He is asked to attend branch and the Police are called.
6 June 2022		The third-party bank allows Mr H to make a large transfer to his Co-op account.
6 June 2022		Telephone call with Co-op to arrange £80,000 payment to B. Payment isn't processed.
06 June 2022	£19,970	
7 June 2022	£10,000	
7 June 2022	£15,000	
7 June 2022	£15,000	
7 June 2022	£15,000	
7 June 2022	£15,000	
7 June 2022	£15,000	
7 June 2022	£18,000	
7 June 2022	£18,000	
8 June 2022		Telephone call between Mr H and Co-op to discuss the activity on the account and the previous £80,000 payment which wasn't processed.
8 June 2022	£19,500	
8 June 2022	£19,500	
8 June 2022	£19,500	
8 June 2022	£18,600	
8 June 2022	£19,500	
8 June 2022	£19,500	
8 June 2022	£80,000	
9 June 2022	£19,250	
9 June 2022	£19,250	
9 June 2022	£19,250	
9 June 2022	£19,250	
28 June 2022	£10,000	
28 June 2022	£15,000	
28 June 2022	£15,000	
29 June 2022	£10,000	

29 June 2022	£15,000	
30 June 2022	£10,000	
30 June 2022	£10,000	
30 June 2022	£15,000	
30 June 2022	£15,000	
1 July 2022	£10,000	
1 July 2022	£10,000	
1 July 2022	£15,000	
1 July 2022	£15,000	
4 July 2022	£5,000	
4 July 2022	£10,000	
4 July 2022	£10,000	
4 July 2022	£10,000	
4 July 2022	£10,000	
4 July 2022	£15,000	
4 July 2022	£15,000	
4 July 2022	£15,000	
4 July 2022	£15,000	
4 July 2022	£15,000	
4 July 2022	£15,000	
4 July 2022	£15,000	
4 July 2022	£15,000	
5 July 2022	£15,000	
5 July 2022	£17,500	
5 July 2022	£17,500	
6 July 2022	£17,500	
6 July 2022	£17,500	
8 July 2022	£10,000	
8 July 2022	£15,000	
8 July 2022	£15,000	
11 July 2022	£8,000	
11 July 2022	£17,500	
11 July 2022	£17,500	
12 July 2022	£6,200	
12 July 2022	£19,000	
12 July 2022	£19,000	
14 July 2022	£10,000	
14 July 2022	£10,000	
15 July 2022	£15,000	
15 July 2022	£15,000	
15 July 2022	£19,500	
18 July 2022	£4,500	
18 July 2022	£10,000	
18 July 2022	£15,000	
18 July 2022	£15,000	
19 July 2022	£14,000	
20 July 2022	£10,000	
20 July 2022	£15,000	
20 July 2022	£15,000	
20 July 2022	£15,000	
20 July 2022	£15,000	
20 July 2022	£15,000	
14 September 2022	£5	
15 September 2022	£2,000	



alongside any key contact points with the banks involved in the scam and the surrounding circumstances:

- Mr H was initially told by the scammers that they could make him enough money, that he wouldn't need to have a mortgage on his next property. After an initial small (and supposedly profitable) investment, they presented an opportunity called "non-farmers' growth" which they said would have an impact on the growth of the dollar. Mr H transferred £75,000 towards this opportunity and saw profits, presented to him on a fake investment platform, of around £130,000.
- The scammers then introduced a more profitable opportunity. Mr H was told he could buy into an "event" where a new cryptocurrency would be released. Mr H was told he would need a minimum investment of £500,000. Mr H didn't have this amount available to him so he spoke to his parents who agreed they would club together as a family to facilitate the investment and share the promised 2 or 3 times profits. At this point, Mr H's parents also spoke to the scammer and were persuaded the opportunity presented was legitimate. They transferred £400,000 into an account Mr H held with a third-party bank ("T") and £100,000 into his Co-op account. Mr H then attempted to transfer the £400,000 from his account at T directly to his account at B but T refused to make the transfer and called the Police. Later, after further discussion, Mr H was allowed to transfer these funds to his Co-op account.
- On 6 June 2022, Mr H called Co-op to complete a transfer to his account at B. Mr H has a further call with Co-op about this transfer on 8 June 2022. During this call, after a discussion with Mr H about the transaction he was attempting to make and the circumstances surrounding it, the transaction is approved.
- By this point, the scammer had told Mr H he was investing into a "pump and dump" scheme – a form of securities fraud. Mr H was told the scammers had loaned him the funds to enter the scheme and so he had to quickly return these funds to avoid awkward questions being asked should anyone notice. Mr H was told that some banks were refusing to transfer funds and so the scammers coached him on how to answer any questions he might be asked by the bank. Mr H says he wrote down how to respond should he be questioned.
- Mr H was eventually told that the scheme had worked and that he now had £2.2 million in his account at F but in order to avoid this being flagged by the regulator it would need to be immediately transferred to an "atomic wallet". Mr H was then told he couldn't access the funds until Capital Gains Tax had been paid to "Blockchain" for security. Mr H was then sent a bill for £360,000. Mr H's parents had now sold their property, so he borrowed the money from them and forwarded this on to B and on to the scammer in small increments.
- The scammers then told Mr H the money had disappeared because the wrong network had been used to transfer it. Mr H was told he would need to employ a "mining pool" to locate and retrieve the funds which would need to be done by a specialist company – he would need to pay a further £100,000 to facilitate this but this would be refunded as soon as the mining was complete. Mr H took out loans to facilitate this payment.
- Mr H was then told the mining company had managed to mine more coins than originally planned and so the cost had now increased and the funds could not be released without a further payment being made. An agreement was drawn up for a further £500,000. To facilitate this payment, Mr H took out further loans and used the money from the sale of his house which he had been planning to use to purchase another property.
- Mr H says that by this point he was desperate to ensure he could retrieve his profits and return the funds his parents had invested. He told us he and his family were living with his parents and no longer had any funds to buy their own house. Mr H had lost his job due to the family company going into administration.

- Mr H then attempted to move £100,000 out of the fake account. This triggered aggressive calls from the scammers saying that he had broken the contract he had signed. Mr H was told that he would now need to send a further £100,000 of his own funds to prevent any legal action being taken against him. After these funds had been sent, all contact with the scammers claiming to be F ceased.
- In October 2022, Mr H was contacted by someone who said they worked for a company which I will refer to as "N". N said they would be able to recover all of Mr and Mrs H's funds. However, again, unbeknown to Mr H, he was actually speaking with scammers - most likely the same group that had targeted him earlier. Mr H agreed to work with N and was ultimately persuaded to send a further £28,000 before realizing they were using the same terminology as F, and he was likely being scammed again.

Mr and Mrs H, via their representatives, raised a scam claim with Co-op in April 2023. As part of this complaint, Co-op was also informed of Mr and Mrs H's poor mental and physical health and their detrimental financial and living situation caused by the scam.

Co-op took a number of months to review Mr and Mrs H's complaint and their representatives had to chase for an update on numerous occasions. Mr and Mrs H's representatives have now raised various complaints about how Mr and Mrs H were treated by Co-op during this period and about how they feel Mr and Mrs H's vulnerabilities were not taken into account during the course of Co-op's investigation.

Co-op responded to Mr and Mrs H's complaint on 18 October 2023 but it declined to provide Mr and Mrs H with a refund of the amount lost. It said the activity on their account was consistent and over a period of time, it had become normal account activity. It also said that conversations had taken place with Mr H about some of the transactions but he was not receptive to warnings and provided false information to Co-op which had stopped it uncovering the scam. Co-op also pointed out that Mr H hadn't provided it with any evidence to show that the funds had been moved on from his account at B and that contradictory information had been provided throughout the course of the complaint.

Unhappy with Co-op's response, Mr and Mrs H brought their complaint to this service, via their representatives, and one of our investigators looked into things.

Our investigator didn't recommend that the complaint be upheld. He agreed Mr H had made it difficult for Co-op to prevent the scam, as he hadn't been truthful about the circumstances surrounding the payments when questioned. Because of this, the investigator didn't think Co-op could've done any more than it had to prevent Mr and Mrs H's losses. The investigator felt Mr H was so far under the spell of the scammers that he would've continued to send payments regardless of Co-op's intervention. He also pointed out that when Mr H had attempted to move money from his account at T to his account at B, the transaction flagged as suspicious and T requested Mr H go into branch to discuss what was happening. At this point, T refused to make any further payments to Mr H's account at B and called the Police as they were concerned about the activity on the account. However, even after this intervention by the third-party bank, Mr H continued to make payments to the scammer. So, our investigator felt that even if Co-op had intervened in a similar way, Mr H would've continued to make payments. For this reason, the investigator didn't think it would be fair to ask Co-op to refund Mr and Mrs H's loss now.

Mr and Mrs H didn't agree with our investigator's findings and as an informal agreement could not be reached, the case 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.

In deciding what's fair and reasonable, I am required to take into account relevant law and regulations, regulators' rules, guidance and standards, and codes of practice; and, where appropriate, I must also take into account what I consider to have been good industry practice at the time.

I'm aware that I've summarised this complaint and the responses briefly, in significantly less detail than has been provided, and in my own words. No discourtesy is intended by this. Instead, I've focussed on what I think is the heart of the matter here – which is to determine whether Co-Op could have prevented the loss of Mr and Mrs H's funds to the scam.

If there's something I've not mentioned, it isn't because I've ignored it. I haven't. I have read all of the evidence and arguments in some detail. However, I'm satisfied I don't need to comment on every individual point or argument to be able to reach what I think is the right outcome. Our rules allow me to do this and this simply reflects the informal nature of our service as an alternative to the courts.

I also want to say from the outset how very sorry I am to hear about what has happened to Mr and Mrs H and the financial situation they now find themselves in. I understand this is having a significant impact on their living situation and well-being. I appreciate that they have lost a significant amount of money and that this in turn has had a significant impact on their circumstances both personal and financial. But I also have to stress that it is my role to assess whether Co-op could've prevented their loss, and, in the particular circumstances of this case, I don't think it could. I'll explain why in more detail below.

### *Co-ops obligations*

In broad terms, the starting position at law is that firms such as Co-op are expected to process payments and withdrawals that a customer authorises it to make, in accordance with the Payment Services Regulations (in this case the 2017 regulations) and the terms and conditions of the customer's account. However, that is not the end of the story.

Taking into account relevant law, regulators rules and guidance, relevant codes of practice and what I consider to have been good industry practice at the time, I consider it fair and reasonable that throughout 2022 Co-op should:

- have been monitoring accounts and any payments made or received to counter various risks, including preventing fraud and scams;
- have had systems in place to look out for unusual transactions or other signs that might indicate that its customers were at risk of fraud (among other things). This is particularly so given the increase in sophisticated fraud and scams in recent years, which firms are generally more familiar with than the average customer;
- in some circumstances, irrespective of the payment channel used, have taken additional steps, or made additional checks, or provided additional warnings, before processing a payment.

*Should Co-Op have recognised that Mr and Mrs H were at risk of financial harm from fraud?*

Mr and Mrs H opened this account in December 2021, less than six months before the scam payments began. As the account was newly opened, there wasn't a lot of previous genuine account activity that Co-op could compare the scam activity to. However, I take on board that Mr and Mrs H had informed Co-op that the account would be used to receive basic salaries and pay bills – likely amounting to no more than £5,000 a month when they opened the account.

Regardless of what information was or wasn't available about the expected activity on the account, I'm satisfied that the activity that started to take place in early-May 2022 was so unusual and suspicious when compared to what could be expected from an account of this nature that Co-op should have had real concerns that Mr and Mrs H might've been falling victim to a scam from around this time onwards. The account had received significant incoming funds, a lot more than Mr and Mrs H had said was anticipated when they opened the account, and it was being used to complete multiple high value transactions to a cryptocurrency platform on a daily basis. Because of this, I agree with our investigator that there should have been an in-person intervention by Co-op much sooner than the 6 June 2022 when a conversation was initiated by Mr H. Having looked at the activity that was taking place on Mr and Mrs H's account, it's clear that there have been significant failings by Co-op in this case and that intervention should've taken place much sooner than it did.

In short, I'm satisfied Co-op could've done more than it did to protect Mr and Mrs H from the scam from early May onwards. However, all of the above being taken into account, I'm still not persuaded that any further or proportionate intervention by Co-op would've stopped Mr H continuing with the scam payments or prevented Mr and Mrs H's overall loss. I will explain why in more detail below.

#### *The conversations that took place between Mr H and Co-op on 6 & 8 June 2022*

Firstly, for the sake of completeness, I want to address the two conversations Mr H had with Co-op in early June 2022. As I've said above, I think these conversations should've taken place much sooner than they ultimately did.

I have listened to recordings of both of these calls and I don't agree with Mr and Mrs H's representatives that the conversations were so scripted that they were effectively rendered pointless. I agree that it sounds like both advisors have been given a specific set of questions to ask in the circumstances. But it seems to me that this was to ensure that all of the key questions were asked and I'm satisfied that both advisors, the later one more so, were engaging with the questions and what Mr H was telling them. I don't agree that there was any obvious panic in Mr H's voice that someone else may have picked up on. In both calls Mr H sounds confident and is actively engaging with the questions posed by Co-op's advisors.

In the later call, for example, the following questions are asked and the following answers and information given:

- Mr H is asked if he has been told to lie to the bank or if he has been coached. Mr H responds that he hasn't. He says he's using his account at B as a savings account because the interest is "*fantastic*."
- Mr H is asked if someone else is investing on his behalf. He responds: "*Solely myself, yeah, I'm not going to trust anybody other than myself. It's a lot of money at the end of the day*".
- Mr H says that he's checked the FCA register and the scam warnings list. Which isn't true.
- Mr H is asked if a third-party has offered to invest on his behalf. Mr responds: "*No*,"



*nobody. Just me and B."*

- Mr H is asked if anyone else was connected to his device(s) when he set up his online account or wallet. Mr H responds: *"Oh gosh, no, definitely not"*.
- Finally, the advisor says: *"if your being asked to invest with a company who will invest on your behalf then you should stop now. Can you confirm that you're not investing via a company that is investing on your behalf?"* Mr H responds: *"I can confirm that 100%, yes. It's just me, just me"*.

So, having listened to the conversations that took place between Mr H and Co-op, I have to acknowledge that he is misleading Co-op as to the real reason for these payments and that he is doing so after a scam conversation with both T and the Police. And whilst I acknowledge that Mr H had been told to lie to the bank by the scammers, this does indicate that he is completely under the spell of the scammers and determined to ensure the payments are sent. I agree with Co-op that Mr H not being truthful during these calls played a role in Co-op being unable to prevent the scam.

The above being said, I also agree that the advisors didn't go far enough in these calls given the unusual activity on Mr and Mrs H's account and I agree that key things were missed – such as Mr H saying that his account at B was attracting interest.

Overall, I'm satisfied that an in-person conversation should've taken place much sooner than it did, in early May, and given the activity on the account and with the awareness that Mr H may have been being coached by the scammers, The Banking Protocol should've been invoked.

*Could more appropriate intervention by Co-op prevented Mr and Mrs H's loss?*

As I've said above, I'm satisfied that the activity on Mr and Mrs H's account was so unusual from early May onwards that there should have been a significant intervention by Co-op and the Banking Protocol should've been invoked and the Police called to discuss what was happening. However, I still don't think this would've stopped Mr and Mrs H continuing to make payments to the scammers. I'll explain why.

By 1 June 2022, Mr H's other current account provider, T, appears to have been satisfied Mr and Mrs H were most likely falling victim to a scam. When Mr and Mrs H attempted to make a large transfer from their account at T to Mr H's account at B, they were asked to visit a branch, the Banking Protocol was then invoked and the Police were called to speak with Mr H. This conversation took place in branch.

The branch notes available to me from the time are limited. However, they do confirm that the Banking Protocol was invoked and that Mr H was made aware that he was likely falling victim to a scam and he no longer wished to proceed. T then told Mr H that it would no longer allow any payments to his account at B. However, even after this intervention, Mr and Mrs H continued to make payments to the scammer. And as they could not make payments directly to B from T, they moved the funds to their Co-op account instead and made the payments from there, misleading Co-op as to the real reasons for the payments around a week later, which ultimately allowed the scam payments to continue.

Because of the above, it wouldn't be reasonable for me to now say that Co-op could've prevented the scam had it stepped in, invoked the Banking Protocol and told Mr and Mrs H they were falling victim to a scam in May 2022. Based on the evidence I've seen from the time that the scam was taking place, T had already done this and Mr and Mrs H moved the funds to their Co-op account instead to get round the security measures put in place by T. And it wouldn't now be reasonable for me to assume they would've acted differently had Co-

op done the same thing. Instead, it appears to me that Mr and Mrs H were deeply under the spell of the scammers and determined to make the payments - initially in the hope that this could be a means of making their family financially stable after Mr H's job loss and then later in the hope that they would be able to recover the funds they had already lost. And so, I agree with the investigator and I'm also persuaded Mr H would've found a way to facilitate the payments regardless – he had done so when T refused to make any further transfers to B on his behalf.

I've thought carefully about Mr and Mrs H and their representative have said about the Banking Protocol not being properly invoked by T and therefore it being ineffective. I've also carefully considered what Mr and Mrs H have said happened during their meeting with the Police officer in T's branch. Specifically, that to the best of their recollection, there was no real conversation about fraud or scams in branch and that the conversation with the officer was short and focused on whether Mr and Mrs H were being forced to make the payments under duress.

I don't think it makes a difference here whether all elements of the Banking Protocol were invoked by T at the time or not. I'm not looking into the actions of T as part of this complaint and what is clear is that T was so concerned about the activity on Mr and Mrs H's account, that it refused to make the payment they had requested and any further payments to B thereafter - and that it called the Police and an officer attended branch.

It's now not possible for me to know exactly what was discussed during this meeting, I wasn't there. And whilst I take on board about what Mr and Mrs H say happened. I also have to bear in mind that memories can fade or become distorted over time and so I have to base my decision on what I think is most likely to have happened based on the evidence available to me.

The notes added by T to its system on the day this conversation took place suggest Mr H was told he was falling victim to a scam. These notes were added at the time and I'm therefore satisfied they are likely to be the most accurate reflection of what took place. I also don't think it's plausible that T could've been so concerned that Mr and Mrs H were falling victim to a scam that they called the Police but then this possibility wasn't discussed with Mr and Mrs H when the Police arrived. This was the reason the Police were called. In their initial submissions, Mr and Mrs H also told this service that T had been so concerned about the activity on the account they had blocked it for a full Police investigation.

So, like the investigator, I'm not satisfied that Co-op invoking the Banking Protocol would have resonated with Mr and Mrs H or led them to act differently – even if it took place earlier in the scam. I have to bear in mind that, just over a week after the first payment was made, Mr and Mrs H were so certain that they were entering into a legitimate scheme, that they had persuaded Mr H's parents to also invest £500,000. And so, I'm not persuaded that even the most pointed warning would've broken the spell Mr and Mrs H were under, it hadn't previously. And based on the evidence I've seen; Mr and Mrs H appear to have been willing to continue to engage with the scammers even after they'd been told they were most likely falling victim to a scam in the hope that the investment was real and that they hadn't lost theirs and Mr H's parents' funds.

I want to stress here that I understand why Mr H acted the way he did. He genuinely believed that he had entered into a legitimate investment that could secure his family's financial future. He also believed what the scammers had told him about the banks wanting to block payments to cryptocurrency platforms – and this was reinforced by the actions of T.

I also understand that by the latter stages of the scam, Mr H was feeling low and was desperate to ensure that he didn't lose all of his and his parents funds and so he continued to make payments in the hope that the investments were real. But by doing so, he also took the risk that they were not. And it wouldn't now be fair for me to say that an earlier proportionate intervention by Co-op would've made a difference here or that it would have resonated so much with him and Mrs H that they wouldn't have continued making payments. They appear to have been deeply under the spell of the scammers from the outset and their actions in light of a similar warning by T at the time, suggest they would've continued to make payments. In fact, even after having had this conversation with T and law enforcement, Mr H goes on to mislead Co-op about the real reason for the payments around a week later.

So, whilst I agree with Mr and Mrs H about there being significant failings on behalf of Co-op in this particular case, it wouldn't now be reasonable for me to say that had Co-op blocked Mr and Mrs H's payments to B and told them they were falling victim to a scam in May 2022, their loss would have been prevented. T had already done this and payments had continued. And so, it wouldn't be reasonable for me to reach the conclusion that had Co-op done the same thing, the scam would've been prevented.

For the reasons explained by the investigator, I also don't think Co-op could have done more to recover Mr and Mrs H's funds. They were used to buy cryptocurrency and sent on to the scammers before Mr H reported being the victim of a scam.

### *Service failings*

I understand that Mr and Mrs H are also unhappy with the way Co-op has handled their complaint. Amongst other things, they've said Co-op failed to handle their complaint within the given timescales, that their ongoing vulnerabilities were not appropriately considered during the course of Co-op's investigation, that they were not treated with any empathy given their current financial situation and that there is evidence to suggest that the case-handler assigned to their case was actively avoiding communicating with their representative.

I recognise that Co-op took longer than it should've to complete its investigation into Mr and Mrs H's complaint and that they weren't kept as updated as they should have been. I also recognise that it appears Mr and Mrs H received some incorrect information from Co-op in terms of whether its caseworker was available or not. But I also have to acknowledge that this is not a straightforward complaint. It involves significant sums of money and the scam itself appears to have been somewhat complex with numerous sources of funds. So, I understand why it took Co-op longer than it usually would to provide an answer.

Co-op has already offered to pay Mr and Mrs H £100 to recognise its service failings in relation to keeping them updated and for the incorrect information that was provided to them. I am satisfied this is a fair amount. As I've said above, I'm not satisfied Mr and Mrs H were due a full refund from Co-op, so any compensation offered needs to reflect that Mr and Mrs H were told incorrect information and the delays caused in the handling of their complaint – despite them potentially being reasonable in this case. I think the amount already offered by Co-op is enough to compensate Mr and Mrs H for the trouble and upset caused to them and I won't be asking it to pay anything further.

Finally, I want to say again how sorry I am to hear about the situation Mr and Mrs H have found themselves in. They have been the victims of a cruel scammer and I recognise that Mr H was acting under their instructions. However, for the reasons set out above, I don't agree that Co-op would've been able to prevent Mr and Mrs H's loss had it gone on to conduct a proportionate intervention into the payments leaving their account. The fault here lies with

the cruel and callous actions of the scammers themselves. For these reasons, and despite Co-op's clear failings in this case, I won't be upholding this complaint.

### **My final decision**

My final decision is that I do not uphold this complaint against The Co-operative Bank Plc.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H and Mrs H to accept or reject my decision before 27 October 2025.

Emly Hanley Hayes  
**Ombudsman**