

The complaint

Mrs C has complained Nationwide Building Society won't refund £86.32 as the result of a purchase scam.

What happened

Mrs C was looking to buy an item on Facebook marketplace for her brother. She transferred £86.32 from her Nationwide account to another transfer wallet she held (who I'll call W). But when she didn't receive the item, she contacted the seller and was then blocked from contacting them again.

Mrs C went to W but was told to contact Nationwide. Nationwide told Mrs C they wouldn't refund her as she'd sent the money to another account in her name so still under her control.

Mrs C was unhappy and brought her complaint to the ombudsman service.

Our investigator felt that Nationwide hadn't done anything wrong and wouldn't ask them to refund Mrs C.

Upset with this outcome, Mrs C has 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.

Firstly, I'm really sorry that Mrs C was the victim of a scam. I can see that she was trying to buy a gift and did what many of us do by checking social media selling outlets. Unfortunately, she ended up sending the funds from her Nationwide account to her account with W before then sending this on to the third party.

I am satisfied that the money paid to the scammer came from Mrs C's account with W. The money from her Nationwide account which Mrs C authorised went to her own W account. This account was clearly in Mrs C's name and under her control before she then arranged to pay the scammer.

The regulations around authorised scam payments do require banks and financial institutions to refund customers. However, there are exceptions to this. One of those exceptions is if the money was transferred into another account within the control of the payer. In Mrs C's complaint I'm satisfied this is the case. Therefore, I am not going to ask Nationwide to refund her.

I also considered whether Nationwide should have been alert to the transaction whilst Mrs C was making it. But this was a payment of under £100 made to an account Mrs C had already paid before and for similar, and even higher, amounts. I don't think it would have been appropriate for Nationwide to have intervened.

I appreciate that the money Mrs C has lost is having an impact on her, but I don't think it would be fair and reasonable to ask Nationwide to refund her.

My final decision

For the reasons given, my final decision is not to uphold Mrs C's complaint against Nationwide Building Society.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs C to accept or reject my decision before 8 January 2025.

Sandra Quinn
Ombudsman