

## **The complaint**

Mr N and Miss M complain that Nationwide Building Society didn't do enough to prevent the loss they suffered when Mr N was the victim of a scam.

Mr N and Miss M have used a representative to help with their complaint. But, for ease of reading, I'll mostly just refer to Mr N where I also mean Miss M and the representative.

## **What happened**

The detailed background to this complaint is well known to both parties. So, I'll only provide an overview of some of the key events here. In 2024 Mr N was the victim of a scam. After initially responding to a message on his phone that appeared to be a wrong number, Mr N developed a close relationship with a third party.

Over time the third party disclosed that they invested in cryptocurrency and they offered to help Mr N to do the same. Ultimately, under the guidance of the scammer, on 30 July 2024 Mr N made a transfer of £1,600 from his joint Nationwide account to 'R'. R is what appears to be a legitimate cryptocurrency exchange. Mr N says that the purchased cryptocurrency was subsequently sent on and lost to the scam.

Mr N had made previous payments towards the same account from his sole Nationwide account and from his own account with another firm 'R2' (which are both the subject of separate complaints). He had seen success in his 'investments' within the platform the scammer had shared with him. But when he came to make a withdrawal, he was told he couldn't do so until taxes were paid upfront which couldn't be taken from his available balance. As a result of this, Mr N ultimately discovered he'd been tricked and had lost money to a scam.

In September 2024 Mr N complained to Nationwide that they hadn't done enough to protect him. Nationwide paid Mr N half of his loss from the £1,600 payment. They also paid him £150 compensation to apologise for not having intervened sooner.

Mr N referred his complaint to our service and it was considered by one of our Investigators. He didn't recommend that the complaint should be upheld. In summary he didn't think Nationwide could fairly be said to be responsible for the outstanding loss. Mr N still disagrees and has asked for an Ombudsman to review his 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 and for similar reasons. I know this will be disappointing for Mr N, so I'll explain why.

I'm aware of Mr N's linked complaint about the payments he made towards the same scam from his sole account with Nationwide (as well as his complaint about R2). But this complaint is solely about the payment from his joint account with Miss M.

Whilst I accept that Mr N has been the victim of a cruel scam, this doesn't automatically entitle him to a refund from Nationwide in these circumstances. So despite my natural sympathy for him as a victim of crime, my role requires that I remain impartial. And it would only be fair for me to direct Nationwide to do more, if I thought they were responsible for his loss (or a part of it).

Nationwide should follow the instructions provided by their customers like Mr N. But they should also be alert to the potential for fraud, scams and the misappropriation of funds and do what they reasonably can to protect their customers from the same. Clearly there is a balance to be struck between stopping and checking the activity on an account and allowing their customers ready use of their funds. I also don't think it's unreasonable for there to be a level of proportionality as to when (and to the extent) that Nationwide intervene –clearly it isn't possible for them to stop and check every payment.

In the context of what I've said above, combined with the way in which the account had previously been used, I don't think the £1,600 payment Mr N made was so unusual, suspicious or indicative of a potential fraud or scam where I would expect Nationwide to have intervened in it. The fact that Nationwide did initially block that payment and had a conversation with Mr N, doesn't change my mind on this. And having considered the conversation that did take place, I don't think the call was handled in such a way where it's fair and reasonable for me to uphold the complaint on that basis. Nothing Mr N said during that call ought to have put Nationwide on notice of a potential issue.

I note from Mr N's linked complaint about R2, that when they intervened in payments. Mr N closely followed the guidance from the scammer and answered in a way designed to reassure them. Similarly, during the call, Mr N misled Nationwide as to the amount of experience he had with cryptocurrency and also said he hadn't been contacted by a third party in relation to his 'investment'. I think this too supports that even if Nationwide had been more probing in their questions, Mr N more likely than not would've answered in a way that wouldn't have caused additional concern and the payment would've continued. Nationwide also warned Mr N about the possibility of a scam during that call, telling him *"I wanted to make sure that you weren't being coerced into any payments or there wasn't any third-party involvement."* Mr N confirmed there wasn't.

In terms of recovery efforts, given Mr N's payment went to cryptocurrency (which he says had already been sent on), I don't think there was anything Nationwide reasonably could've done to have helped. And overall, I don't think there is a fair and reasonable basis upon which I could direct Nationwide to do more than they have already done to resolve this complaint.

For completeness I don't think there was poor service such that I could fairly direct Nationwide to increase the compensation payment mentioned in their complaint response. And I also note that there was a transfer from the joint account to Mr N's sole Nationwide account, that was included in the letter of complaint. I've seen no evidence to support that the scammer specifically directed Mr N to move funds between accounts he controlled. It follows that I don't think this payment was made as part of a scam, and any onward movement of those funds from his sole account will be considered under that complaint.

As I said at the start, I'm sorry to hear Mr N suffered the losses he did as a result of a cruel scam. But as I don't think this is something Nationwide can fairly be said to be responsible

for, there isn't a reasonable basis upon which I can require them to do more to resolve this complaint.

### **My final decision**

For the reasons outlined above, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss M and Mr N to accept or reject my decision before 20 October 2025.

Richard Annandale  
**Ombudsman**