

## **The complaint**

Mr M complains that TSB Bank plc (TSB) failed to apply gambling blocks to his account, and did not acknowledge and respond to his associated complaints. As a result, Mr M lost money and his mental health was affected. Mr M is represented by a third party but for ease of reading, I'll generally refer to Mr M.

## **What happened**

In August 2024, Mr M brought a complaint about TSB to our service. In it, he expressed the concern that despite telephone calls with them, specifically November 2023 and July 2024, they failed to apply a gambling block to his account and as a result, Mr M was able to gamble. As per our process, we passed the matter to TSB to give them the opportunity to investigate and respond. TSB did so, and concluded they had not made any errors. They said their records show that since October 2023 – when Mr M logged an unrelated transaction dispute - TSB had not received any calls from Mr M, and could not find evidence of Mr M asking for help with gambling.

Dissatisfied with TSB's response, it was agreed that our service would look into the complaint.

After looking into the complaint, our investigator issued their view in which they said TSB did not need to take any action. Our investigator said that TSB's contact record showed that other than the October 2023 call, TSB had received no contact from Mr M, or from anyone on his behalf. Our investigator also looked at whether the activity on Mr M's account was unusual enough that TSB's system should have identified any problems. But they went on to say that in view of the nature of the activity, our investigator was not persuaded that TSB would have been alerted.

Mr M disagreed with this outcome, insistent that contact had been made with TSB, involving his partner on his behalf. Accordingly, he requested an ombudsman 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.

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. I have looked at the information TSB has supplied to see if it has acted within its terms and conditions and to see if it has treated Mr M fairly.

I sympathise with Mr M for the frustration he experienced. It's our role to identify if a business has made a mistake and if so, look at the impact this has had on the consumer. Our service makes decisions on the facts and evidence available, weighing up what's happened, fairly and impartially.

I won't go over what our investigator detailed in their view, as there's no benefit in doing so, especially in view of how I consider it to be a reasoned and accurate timeline of events, and

the fact I am in agreement with what they said. What appears to be the crux of this complaint is the significant point around the contact log which TSB supplied. In addition to testimonies, our service looks at evidence supplied by both parties and whilst I acknowledge how strongly Mr M feels about the complaint, the fact remains that TSB's contact log shows no contact whatsoever from Mr M in regard to gambling assistance, or a complaint, for the period in question. I know Mr M has said it's likely his partner made contact, rather than him, but as our investigator mentioned, Mr M's partner is not authorised on Mr M's account, so TSB would have been unable to speak to them.

In view of the above, I would have expected Mr M to make the telephone call, pass through security, then perhaps hand the call over to his partner for them to act as his representative. Whilst Mr M has said he did this, the evidence from TSB does not corroborate this. Therefore, I can't address this point any further or ask TSB to take any action towards Mr M.

One final point I wanted to address was Mr M's claim that within TSB's final response letter of August, they said they would apply a block, and as they did not, the situation was made worse. Looking at this letter, it's clear that to apply any block, Mr M was required to action this himself via the app, or telephone TSB. Therefore, I can't agree that TSB said they would do it for him. Staying with the letter, I feel I must comment on the amount of gambling support TSB offered within it, which amounted to four paragraphs. Accordingly, it's likely that this same level of support would have been offered via any telephone contact that Mr M had with TSB.

In conclusion, particularly in view of the lack of any evidence of contact from Mr M or a representative, I cannot reasonably ask TSB to do any more.

### **My final decision**

For the reasons I have given it is my final decision that the complaint is not upheld.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 13 May 2025.

Chris Blamires  
**Ombudsman**