

## **The complaint**

Mrs and Mr B complain that they've been unable to recover a payment they made from their account with Arbuthnot Latham & Co Limited.

## **What happened**

Mrs and Mr B wanted to send a payment to their son's company. He gave them a sort code and account number from a cheque in his possession, which they used to make the transfer from their Arbuthnot Latham account. When Mrs and Mr B realised the mistake they contacted Arbuthnot Latham and asked for its assistance in recalling the payment. After several months without success, they brought a complaint to us against Arbuthnot Latham.

Arbuthnot Latham says it made a number of attempts to recall the funds. But the money wasn't forthcoming from the receiving bank. Since the matter was referred to us Arbuthnot Latham has added that it has asked its payment service provider to obtain details of the beneficiary from the receiving bank to enable Mrs and Mr B to pursue that party for recovery of the money. It says it can't do any more to help, but has offered Mrs and Mr B £200 in recognition of the time taken, noting it could have sought this information for them earlier.

Our investigator felt Arbuthnot Latham had dealt fairly with Mrs and Mr B's concerns, and that it had made a reasonable proposal to resolve their complaint. He suggested that Mrs and Mr B contact the receiving bank directly to recover their money, which they believe to be held in a suspense account.

Mrs and Mr B didn't accept the proposed resolution and their complaint has been passed to me for review.

## **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, like our investigator I'm satisfied with the steps Arbuthnot Latham has taken to deal with matters. From what I've seen, it has acted on Mrs and Mr B's instructions when making the payment. It made no error in doing so. When Mrs and Mr B asked it for help, Arbuthnot Latham made efforts to recall the payment. While these efforts have ultimately proved unsuccessful, this wasn't because of any failing on Arbuthnot Latham's part.

Rather, it appears that Arbuthnot Latham's requests have been rebuffed by the receiving bank. As this is something over which Arbuthnot Latham has no control, I can't see that requiring it to make a further attempt to recall the money would be any more successful. Indeed, based on Mrs and Mr B's response to our investigator's assessment, it seems they are themselves aware that resolution of the problem of the missing money more properly rests with the receiving bank. While I'm sympathetic to their position, this isn't something I can help them with in the context of a complaint about Arbuthnot Latham.

Arbuthnot Latham has acknowledged that it could have acted more promptly to ask the

receiving bank for details of the payment beneficiary. Although Mrs and Mr B haven't accepted the £200 Arbuthnot Latham proposed in recognition of this delay, I think it's a fair way for the bank to address any shortcomings in its handling of matters. I would therefore encourage Mrs and Mr B to think carefully about the proposal, as in the circumstances of this case I can't reasonably expect Arbuthnot Latham to do anything more than this.

### **Putting things right**

Arbuthnot Latham has said it is willing to pay Mrs and Mr B £200 compensation for their time and trouble, which I consider to be a fair and reasonable way to resolve their complaint.

### **My final decision**

My final decision is that Arbuthnot Latham & Co Limited should pay Mrs and Mr B £200, as it has already offered to do.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs B and Mr B to accept or reject my decision before 14 April 2025.

Sarita Taylor  
**Ombudsman**