

## **The complaint**

Ms A complains that Nationwide Building Society won't reimburse her after she fell victim to an investment scam.

Ms A is professionally represented in bringing her complaint, but for ease of reading, I'll refer, for the most part, to all submissions as being made by Ms A directly.

## **What happened**

Ms A has explained that between June 2020 and December 2023, she made payments of over £57,000 from her account with Nationwide to a number of other accounts - mostly cryptocurrency - as the result of falling victim to several investment scams.

Upon realising that they was a scam, Ms A raised a claim with Nationwide. Nationwide considered the claim but declined to reimburse her. It didn't think the payments were unusual for her account in comparison with her account activity for the six months leading up to the scam. It therefore didn't consider there was cause for intervention when Ms A was making these payments.

Ms A remained unhappy and referred her complaint to our service. An investigator considered the complaint but didn't uphold it. She also didn't think that Ms A's account activity was sufficiently out of character that Nationwide ought to have intervened, prior to processing payments. She noted that the majority of payments were low value, and as they were across an extended period of time, this became typical account use for Ms A.

Ms A disagreed with the investigator's opinion and so the complaint has been referred to me for a final decision. As part of my own investigation, I contacted Ms A's representatives to explain that I agree with the investigator that there wasn't a clear intervention point in this scam and even if Nationwide had intervened, I'm not satisfied it would have uncovered anything. However, I also explained that in any event, Ms A is yet to provide any evidence that a scam occurred here - and for me to be satisfied on this point, I'd need to see evidence to substantiate her claim. Ms A and her representatives have not provided anything further on this point within the timescales provided.

## **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 broad terms, the starting position in law is that a firm is expected to process payments and withdrawals that a customer authorises, in accordance with the Payment Services Regulations and the terms and conditions of the customer's account. However, where the customer made the payment as a consequence of the actions of a fraudster, it may sometimes be fair and reasonable for the bank to reimburse the customer even though they authorised the payment.

However, as set out above, before I can consider whether Nationwide should be held liable for reimbursing any payments made by Ms A, I'd first need to be persuaded that a scam most likely occurred. I've requested Ms A provides evidence to support this – for example, evidence of conversations with the fraudster in question or evidence that funds sent to her cryptocurrency wallets were passed on to third parties. I've also questioned the number of credits received into her account to better understand her losses, but nothing further has been provided.

In any event, I agree in this case that there wasn't a clear point at which Nationwide ought to have intervened. Payments were generally spread out over a long period of time and therefore became 'typical' for the account, the only larger value payment of over £3,000 being to an individual and not cryptocurrency – and so again appearing less concerning from an account monitoring perspective. I therefore can't agree that Nationwide acted unreasonably here by not making enquiries, prior to processing these payments.

Therefore while I'm sorry to disappoint Ms A, without having been provided with anything to demonstrate that a scam took place, it follows that I'm unable to determine that Nationwide should be held responsible for the payments made from Ms A's account.

### **My final decision**

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms A to accept or reject my decision before 8 October 2025.

Kirsty Upton  
**Ombudsman**