

## **The complaint**

Miss C complains that Western Union Payment Services GB Limited (WU) won't refund money she lost to a purchase scam.

## **What happened**

The background to this complaint is well known to both parties and so I'll only refer to some key events here.

Miss C found concert tickets on social media that she wanted to purchase. On 18 August 2024 Miss C made a £390 debit card payment to WU to pay for the tickets – with the seller able to collect this from a WU location upon providing the tracking number and photo ID.

The money was collected by the seller, whom we now know to be a scammer as the tickets weren't provided to Miss C. Miss C however claims she never provided the tracking number to the seller, and so she's unhappy that WU released the cash.

Miss C complained to WU, but they rejected it. They said all their procedures and processes were followed when completing this transaction. This included Miss C accepting their fraud notice warning – which explains their service is only to be used for making payments to friends and family, and not for online purchases or to individuals that haven't been met in person. And, in respect of releasing the payment, WU explained they don't have access to view or search for Miss C's transaction details and, in line with their terms and conditions, it is the customer's responsibility to share the transaction details with the intended receiver (the seller). Furthermore, WU said their agent at the location confirmed the receiver provided all the required transaction details to collect the payment. And upon checking all the transaction details and verifying the receiver's ID, the payment was released.

Miss C's complaint was considered by one of our Investigators, but he didn't think WU had to do anything further. He didn't think the payment was suspicious enough to have alerted WU that it might be fraudulent. But he said WU did provide Miss C with clear warnings about the risks of sending the money. Our Investigator also didn't think WU could've recovered the money as it had already been collected by the seller at the point Miss C reported the incident to them.

Miss C didn't agree and asked for her complaint to be looked at by an Ombudsman. In short, she said:

- She has clearly proven that she didn't provide the seller with the tracking number needed for WU to release the funds.
- WU hasn't complied with her subject access request (SAR) – and so, she will be raising a complaint with the Information Commissioner's Office (ICO) to take this matter further.
- WU aren't following their own rules and guidelines.

Our Investigator considered Miss C's additional points, but his position remained the same. He outlined that WU had provided evidence to show that the tracking number and ID were provided by the seller. And that WU had confirmed they're unable to retrieve the transaction information on their system without the tracking number being provided. Because of this, he didn't think WU had acted unfairly here.

In respect of the SAR request, he asked for the date Miss C made it (so that he could pass this on to WU). He also provided Miss C with the relevant contact details at WU for a SAR to be raised.

Miss C remained in disagreement with our Investigator and for largely the same reasons. But she added:

- Although the Financial Ombudsman and WU might not consider her loss a substantial amount, it is a significant amount of money to her – and she takes offence for it to be said otherwise.
- She made the SAR from WU on 15 December 2024 and didn't receive a response within 30 days. Because of this, she will be taking this matter to the ICO.
- The seller also tried to steal money from one of her other online account providers.

The complaint has been passed to me to decide.

### **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'm sorry Miss C has been the victim of a scam. But what I must consider is whether WU is responsible for her loss. And while I know this isn't the outcome Miss C is hoping for, I don't think they are. I'll explain why.

Before I do, I want to reassure Miss C that while I've summarised this complaint in far less detail than what has been provided, no discourtesy is intended by this. If there is a submission I've not addressed; it isn't because I have ignored the point. It's simply because my findings focus on what I consider to be the central issue in this complaint – that being whether WU is responsible for the claimed loss.

There are expectations on money transfer providers, like WU, to be on the look-out for unusual transactions or other signs that might indicate that their customers are at risk of fraud (among other things). But here, while I appreciate it is a significant amount of money to Miss C, I don't think the payment was unusual or suspicious enough to have given WU enough reason to suspect it was being made for anything other than legitimate purposes.

Nevertheless, WU did provide Miss C with warnings relevant to her situation before processing the payment – as they told her that their services should only be used for sending money to friends and family. And that Miss C shouldn't proceed if she had been asked to send the payment for an online purchase, or to an individual she hadn't met in person. WU explained that after the money is paid, they may not be able to give a refund even if Miss C was a victim of fraud. Despite these warnings being relevant to Miss C's situation, she proceeded to make the payment.

I've also considered that Miss C insists that she never shared the tracking number with the seller. And so, she believes WU shouldn't have released the funds (as their procedures

require the receiver to provide it upon collection). To support her position, Miss C has provided screenshots of her conversation with the seller.

I've given everything Miss C has provided careful consideration. But as I wasn't present at the time the funds were collected, I cannot say with certainty what happened (and whether the tracking number was provided). I've therefore got to reach a conclusion based on what I think is most likely to have happened based on the information available to me. And here, as Miss C has provided screenshots rather than a full transcript, I can't be sure the communication that she had with the seller, and which I've seen, is complete. It's therefore possible that the tracking number might have been provided even if this isn't shown in the screenshots provided. I've also taken into account that WU has provided a statement from their agent that released the funds, who confirms they obtained the tracking number from the person collecting it (the seller). Furthermore, WU has confirmed that their system doesn't allow them to retrieve a transaction without the tracking number being provided.

I've also considered that Miss C has told our Service that she refused to provide the tracking number to the seller as she thought they were acting strange. But I can't see any evidence of this from the screenshots Miss C has provided. Instead, she seems engaged with the seller and followed their instructions to make the payment to allow for the tickets to be sent to her. It seems that it was only after the money had been collected that Miss C became suspicious of the seller when they stopped responding.

The communication between Miss C and the seller also shows that they asked for her full name to enable them to collect the cash, which Miss C provided. And although I am unable to see from the screenshots provided that the seller asked for the tracking number, or that Miss C provided it, I consider it most likely that Miss C would've given it to the seller if asked. This is because I'm not persuaded Miss C had suspicions about the seller at that point in time but rather, she thought it was a legitimate transaction she was making.

It follows that, while I consider it most likely that Miss C did provide the tracking number to the seller, even if she didn't, I think she would've done so if asked for it to allow them to collect the money. I know Miss C will strongly disagree with this and I'm sorry for the loss she has suffered. But for the above reasons, I cannot fairly conclude that WU is responsible for her loss.

I've also thought about whether WU could reasonably have done anything else to recover Miss C's payment after she reported it to them. But by this point the cash had already been collected by the seller. There wasn't therefore anything WU could've done in this situation.

On a final note, I understand Miss C is unhappy that WU hasn't responded to her SAR. Miss C has said she made it to WU and the Financial Ombudsman on 15 December 2024. I can see Miss C emailed the Financial Ombudsman on that date stating she wanted "*a complete Subject Access Request from them...*". I'm unaware of any other request. But I should clarify that the Financial Ombudsman cannot make a SAR on behalf of a customer. And so, as I can't see that Miss C's email of 15 December 2024 was sent to WU, it's possible they didn't receive it. I can see our Investigator has since provided Miss C with the relevant contact information for her to raise a SAR with WU. That said, if she remains unhappy with how WU has handled a SAR she's made then she can – as she said she intends to – report this to the ICO for their consideration.

I appreciate Miss C will be disappointed by this outcome. But it would only be fair for me to direct WU to refund her loss if I thought they were responsible – and I'm not persuaded that this was the case. For the above reasons, I think WU have acted fairly and so I'm not going to tell them to do anything further.

**My final decision**

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss C to accept or reject my decision before 21 October 2025.

Daniel O'Dell  
**Ombudsman**