

## **The complaint**

Mr C has complained The Royal Bank of Scotland plc won't refund him for a cash machine withdrawal that wasn't successfully completed.

## **What happened**

In both January and February 2024 Mr C used a cash machine within a branch of a bank where he also held an account to withdraw £800. I'll refer to this other bank as S. Mr C can't recall definitively but on one of these visits his withdrawal was unsuccessful. He attempted to withdraw £800 but he only received £20. As soon as this happened, he spoke to someone within the bank. They confirmed he'd need to contact RBS as it was that account he was using.

Mr C contacted RBS, but they confirmed the information they'd reviewed showed there'd not been any problem with the cash machine. They wouldn't refund him.

Mr C brought his complaint to the ombudsman service.

Our investigator noted the evidence. He believed this was sufficient to show no error had occurred at the cash machine. He wasn't going to ask RBS to refund him.

Still unhappy with this outcome, Mr C has asked for his complaint to be referred to an ombudsman.

I completed a provisional decision on 19 May as I had decided to ask RBS to refund Mr C.

I received no further response from RBS.

Mr C confirmed he'd raised his concerns with S that they'd kept no record of his meeting and was keen that CCTV should be obtained.

I now have all I need to complete my final decision.

## **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 I did in my provisional decision. I'll explain why.

Where there is a dispute about what happened, I have based my decision on the balance of probabilities. In other words, on what I consider is most likely to have happened in the light of the evidence.

It's worth stating that I can choose which weight to place on the different types of evidence I review, including technical evidence, provided by financial institutions along with complainants' persuasive testimony.

When considering what is fair and reasonable, I'm required to take into account: relevant law and regulations; regulators' rules, guidance and standards; codes of practice; and, where appropriate, what I consider to have been good industry practice at the relevant time.

To help me come to a decision, I've reviewed the evidence RBS provided as well as what Mr C has told us.

I don't believe Mr C received £800 as requested from the cash machine on 22 February 2024. I say this because:

- Mr C's testimony has been consistent throughout that he only received £20 after requesting £800 from the cash machine. I've been given no reason to doubt what he's told us.
- Specifically, Mr C raised his immediate concerns with someone within the branch at S. He was told he'd need to contact RBS, which was correct. I note S has no note of any discussion with Mr C but I don't think anything can be read into this. I see no reason, as this query was not about Mr C's S account, that S would have made any note. I appreciate Mr C feels otherwise but whilst he is a customer of S too, for the purposes of this cash machine withdrawal, he was predominantly acting as a customer of RBS. Mr C has been consistent about raising his concerns immediately and I do not doubt what he says. This has also indicated to me that it was unlikely Mr C was being watched by another customer or that there was any delay in the dispense.
- The journal roll shows Mr C using his card at 14:07 to request £800. This suggests the money was dispensed. The notes dispensed were 40 £20 notes. And the journal roll shows money being taken at 14:08. There was no further withdrawal from this cash machine for another 20 minutes.
- I have considered whether Mr C may just have been mistaken and in fact received all the money he requested. Mr C is elderly and has admitted to being unsure which date this happened. But I'm not sure why I should believe Mr C was mistaken. This feels rather insulting to him. And I can't ignore his immediate concern and him raising this with S.
- The cash machine journal is limited on detail. I would normally expect to see more data from the bank along with information about the transactions before and after Mr C's. I appreciate RBS has stated they've provided data in line with the cash machine network rules. However, they'll be aware we require additional data to help us get as full a picture as possible.
- There's no information about what may have been included within the purge bin. I appreciate RBS has confirmed the statements we've received (for both dates) show that either the purge bin balanced or was only out by £30. And in Mr C's case, we're talking about a substantial discrepancy.
- RBS has provided no evidence why Mr C must be mistaken or lying, nor have they confirmed Mr C has any history of previous fraud claims.
- Mr C has asked that we request CCTV evidence. But I've decided there's no need to do this as I don't doubt what Mr C has told us, so this would add nothing. And I also suspect that this would no longer exist as it's rare for CCTV evidence to be kept that long.

On balance and based on all of the evidence, I don't believe there's enough to show the withdrawal was completed.

RBS will need to refund £780 to Mr C along with 8% simple interest from 22 February 2024.

### **My final decision**

For the reasons given, my final decision is to instruct The Royal Bank of Scotland plc to:

- Refund £780 to Mr C; and
- Add 8% simple interest from 22 February 2024 to the date of settlement.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr C to accept or reject my decision before 16 July 2025.

Sandra Quinn  
**Ombudsman**