

## The complaint

Mr A complains that Santander UK Plc didn't do enough to protect him when he fell victim to an investment scam.

## What happened

Mr A came across 'R' (the scammer) when he was searching for trading opportunities and he received a call back from them about an investment. He says he started investing with a small sum of £200 and saw this had increased to £400, which convinced him the opportunity was legitimate. Mr A discovered this was a scam when he was unable to withdraw funds and was asked to send more money.

Mr A told Santander he'd been a scam victim and lost £23,500 from his account with it. It agreed to reimburse him 50% of the first payment he made for £3,500 but didn't refund him anything more or uphold his complaint about this.

Mr A came to our Service and I issued a provisional decision on this complaint in May 2025. My findings were as follows:

*I've considered longstanding regulatory expectations and requirements, and what I consider to be good industry practice for firms when processing payments. In line with this, Santander ought to have been on the look-out for the possibility of fraud and made additional checks before processing payments in some circumstances.*

*Mr A made an initial payment from his Santander account for £3,500 (which Santander has refunded 50% of) and then two further payments for £10,000, one in October 2023 and one in December 2023. Santander called Mr A about the first £10,000 payment and asked him some questions about what he was doing. I agree Santander ought to have questioned Mr A about this payment, as it did indicate a potential risk of financial harm from fraud.*

*Listening to the call, I don't think the call does cover everything I'd have expected or probes Mr A enough. For example he gives a different reason on the call to what he input online for the payment purpose and he isn't probed around why he's really moving the money. However, I don't consider that a proportionate conversation would've changed Mr A's decision to go ahead with this or the next transfer. I'll explain why.*

*The scam chat we have makes it clear to Mr A he must select that he's paying Friends and Family, and this is what he then says to Santander when asked automated questions. He says he was told to do this to prevent complications or delays with the transactions. Mr A doesn't ever disclose to Santander that he is investing. We also know Mr A had a number of calls with the scammers around making the payments and investing.*

*In the Santander call, Mr A isn't forthcoming with information and again this is also the same when his other bank questions him. While this can indicate something more*

*is going on, this isn't always the case. Many customers are private with their information. But how Mr A approaches this call doesn't suggest to me he would've changed his stance and been open and forthcoming with Santander if it had asked more questions. I'm not persuaded he'd have given the true purpose of sending the funds.*

*I also note that in August 2023, Mr A tells the scammer his account with another bank was blocked and he thinks the bank did this because they think it's a scam. But this doesn't deter him from continuing with the opportunity and investing a further £20,000 from this account.*

*Considering the coaching I have seen evidence of; the calls we know Mr A was having with the scammer; and the evidence we hold that Mr A was willing to mislead his banks, I can't safely conclude that a better intervention by Santander would've unravelled this scam. It did provide him with warnings based on the information he did share – and while I accept its questioning didn't take things far enough, I'm not persuaded that better questioning would've led him to disclose what was truly going on.*

*I've then considered whether Santander ought to have done more to reimburse or recover Mr A's funds. I'm satisfied Santander has fairly refunded 50% of the first payment made – and that I wouldn't have awarded more than this, as Mr A should've had concerns about the legitimacy of the scam. And I don't consider it could've recovered either of the £10,000 payments, as they were lost to the scammers sometime before Mr A realised he'd been scammed. And the second payment was also made internationally.*

*I appreciate Mr A has lost out financially due to this scam investment. But I don't consider his loss is the result of any material failings by Santander.*

Santander didn't respond to the provisional decision. After receiving copies of evidence I'd relied on, Mr A's representative disagreed with the decision. It strongly argued why both the banks complained about failed Mr A and said that a proportionate intervention by Santander would've unravelled the scam and prevented Mr A's losses.

### **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 read the additional comments Mr A's representative has provided in detail and reviewed the case in full, but I don't consider they have provided anything materially new to change my outcome here. I listened to the calls in full, reviewed all the scam chat and reached my decision based on all the evidence the representative has now considered and commented on. While I appreciate the view they have taken, on balance, I am still of the opinion that a better intervention wouldn't have unravelled this scam.

Mr A's representative has suggested that if Santander had asked him on the phone why he was sending the payments, rather than just using the automated system, it would've unravelled the scam. But we know Mr A was coached to mislead Santander and did do so with the automated system. And in the calls he did have, while I accept he isn't directly asked why he is sending the payments, he proactively talks about sending funds to his own account a lot without sharing anything more. As per my provisional decision, I am in agreement with Mr A's representative that the calls didn't take things as far as needed, but I am also still not persuaded that a better, proportionate call would've uncovered this scam.

Mr A's representative has said the available evidence shows minimal coaching. But we also know that Mr A had a number of phone calls with the scammers which we can't now know the content of. The chat and emails are clear on what to do and from my experience it's likely the calls would've covered this as well. Mr A was asked clear questions about the payment purposes and he chose to not be honest with the bank. And this is what contributed to no investment warnings being shown to him. His representative has argued these should/would have been with the right questions – but I'm not persuaded Mr A would've given the right answers for this, on any automated system or the phone.

I accept there were some discrepancies in the situation Mr A described, which Santander could've probed on. But I'm not persuaded that questioning around this means he would've divulged he was ultimately investing the funds. None of the accounts being paid have an obvious link to investing, so this would only come up by Mr A changing his mind, ignoring his coaching and being honest. As per my provisional decision, I'm not persuaded in this case that would have happened. Mr A's behaviour on another call suggests he would've been frustrated by the questioning and maintained his stance, not been open and honest.

Ultimately, while I accept that Santander ought to have done more to investigate the *risk* of financial and foreseeable harm in this case, I don't consider its failure to do so has caused a material impact on Mr A's position now. I'm not persuaded that a better and proportionate intervention by Santander would've unravelled this scam.

### **My final decision**

For the reasons set out above, I don't uphold Mr A's complaint.

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

Amy Osborne  
**Ombudsman**