

## **The complaint**

Mr W has complained Clydesdale Bank plc, trading as Virgin Money Bank, lodged a fraud-related marker on the industry fraud database, CIFAS, in his name.

## **What happened**

Mr W found that his main bank account was suddenly closed in March 2025. He discovered there was a CIFAS marker in his name which had been lodged by Virgin Money in 2021. He complained to them and asked them to remove the marker. He told them he'd never opened an account with them in 2021. He believed this must have happened around the same time as he became a victim of account takeover on another of his accounts.

Virgin Money confirmed they didn't feel they'd done anything wrong and refused to remove the marker.

Mr W brought his complaint to the ombudsman service.

Our investigator noted Mr W's evidence that he'd not opened this account and had responded to his other account bank about transactions they were concerned about in February 2021. However, Virgin Money's evidence indicated that this account had been opened by Mr W. He felt that Virgin Money had enough evidence to lodge a CIFAS marker.

After receiving the view, Mr W has asked an ombudsman to review his complaint.

## **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 our investigator. I'll explain why.

It is clear what the requirements are prior to lodging a marker. Specifically:

*“There must be reasonable grounds to believe that an identified fraud or financial crime has been committed or attempted.*

*The evidence must be clear, relevant and rigorous.”*

Virgin Money must be able to provide clear evidence that an identified fraud was being committed, and Mr W was involved. This means that they must have more than a suspicion or a concern that Mr W may be involved.

There's also a requirement that Virgin Money should be giving the account holder an opportunity to explain what was going on.

I've seen the evidence provided by Virgin Money. This confirms they received four notifications from other banks that various customers had sent money to Mr W's account as the result of being scammed. These funds – which were for a considerable amount – were

instantly transferred to another account with only 6p remaining in Mr W's account.

Mr W told our service that he'd never opened this account. He was able to show correspondence between himself and another bank which indicated they had raised questions about large credits paid into his account around the same time as large credits were being paid into the Virgin Money account. Mr W's correspondence shows that he denied knowing anything about this and believed he'd been the victim of hacking.

To substantiate their claim that they believed this account had been opened by Mr W on 31 January 2021, Virgin Money shared some account-opening information. Along with other information which I believe relates to Mr W, this confirms that a card and PIN for this Virgin Money account was sent to Mr W's home address. This address matches the one on Mr W's complaint to our service. A letter closing the account is also likely to have been sent to Mr W in April 2021.

There's no evidence that Virgin Money approached Mr W in 2021 to query his entitlement to these funds. I'd have expected them to do so. But based on what I've seen, I believe he would have provided Virgin Money with a similar response as he provided to his other bank. And further based on what Virgin Money knew about Mr W, I don't think this would have made any difference to their decision to close the account and lodge a CIFAS marker.

In accordance with the rules about lodging a marker, I have no choice but to accept that Virgin Money acted properly.

On this basis, I don't believe it would be fair and reasonable to ask Virgin Money to remove the CIFAS marker.

### **My final decision**

For the reasons given, my final decision is not to uphold Mr W's complaint against Clydesdale Bank plc, trading as Virgin Money.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr W to accept or reject my decision before 26 December 2025.

Sandra Quinn  
**Ombudsman**