

The complaint

A, a limited company represented by its director – who I'll refer to as "Mr B" – complains that New Wave Capital Limited ("NWC") unfairly decided not to pursue his chargeback claim.

What happened

Around November last year, Mr B contact NWC requesting that a chargeback be raised for a set of payments made to a third-party merchant. Mr B had paid around £29,000 to this merchant for services it agreed to provide, and says he'd reached an agreement with the merchant to terminate the agreed contract for a full refund. The merchant only refunded around £9,000 – Mr B says he wanted to raise a chargeback because the merchant had stopped responding to contact from him.

NWC decided not to pursue the chargeback claim. Mr B complained but the firm decided to stand by its decision, saying that it couldn't share its reasons. Remaining unhappy, Mr B referred his complaint to this service. He says he's been affected both financially and emotionally, and he wants the firm to pursue his claim.

Our investigator issued their outcome, explaining that NWC had acted fairly. Mr B doesn't agree because he feels he has a legitimate claim that he's sufficiently evidenced. So the complaint has been passed to me for a final review.

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 decided that NWC has acted fairly – I'll explain why.

As our investigator pointed out, the chargeback process is a voluntary scheme, so NWC isn't under an obligation to pursue a chargeback on Mr B's behalf, nor does Mr B have a right to a claim. However, NWC shouldn't unreasonably decline to pursue a chargeback claim.

I can see from the firm's submissions that it engaged with Mr B to gather more information and evidence about his claim. Mr B responded to NWC's questions, and I can see he provided evidence such as invoices and details as to the service he expected to receive from the third-party merchant.

NWC emailed Mr B in December, advising it decided not to pursue the claim. I can appreciate Mr B's concern here, as he responded to the firm's questions and he wasn't provided with an explanation.

NWC has provided our service with further information about its decision-making process, which, unfortunately, I can't share due to its commercial sensitivity. Having reviewed this information, I'm satisfied NWC acted fairly.

It's important that I point out that our rules allow us to receive evidence in confidence. We may treat evidence from firms as confidential for several reasons – for example, if it contains

security information, or commercially sensitive information. Some of the information NWC has provided is information I consider should be kept confidential. I understand Mr B would like to know the details of the information that NWC has relied on, but I'm unable to share this with him.

I'm mindful of the impact Mr B says NWC's decision has had on him and his business. However, based on what I've seen, I'm satisfied NWC's actions were fair here. So I won't be asking the firm to pursue the chargeback claim.

My final decision

For the reasons explained above, I'm not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask A to accept or reject my decision before 6 October 2025.

Abdul Ali
Ombudsman