

## **The complaint**

R, a limited company, has complained HSBC UK Bank plc did nothing to identify and stop a fraudulent payment being made to one of their customer's accounts.

## **What happened**

Mr R is a director of R and represents them in this complaint. I'll refer to both throughout this complaint but predominantly Mr R as he was the individual who was scammed.

In August 2024, Mr R received a call from someone working for a revolving credit company. After asking Mr R whether he'd made certain transactions, he believed he'd become a victim of identity fraud. Through numerous phone calls extreme pressure was put on Mr R. He was made to believe that funds belonging to R, as well as himself, were at risk. Under instruction, Mr R sent £12,785.89 from R's account with a bank I'll call S to HSBC. This money was sent on 13 August.

The following day Mr R made a call to someone he thought he'd discussed the fraud with the previous day and discovered immediately that he'd been the victim of a scam. Mr R complained to S. S raised the alarm with HSBC. £32.97 was returned to R's account.

Mr R, on R's behalf, complained to S. Under the Contingent Reimbursement Model, S made partial repayments to R. Mr R brought both personal and business complaints to the ombudsman service.

Our service referred R's complaint to HSBC in 2025, but Mr R remained unhappy that HSBC referred R's complaint back to S. He asked our service to pursue a complaint against HSBC.

After reviewing the evidence provided by HSBC, our investigator felt that it wouldn't be fair to have expected them to have noted and intervened in the payment R made. She wasn't going to ask HSBC to do anything further.

Unhappy with this outcome and knowing that R was significantly out of pocket, Mr R has asked an ombudsman to consider R's 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.

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.

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 provided by R which includes detail about the calls between Mr R and the fraudsters. Mr R was the victim of a sophisticated scam, and it would have been difficult for him to identify at a pressured time that a scam was happening.

I've also had the benefit of HSBC's evidence showing how their customer set up their account and what they knew about that customer's account behaviour.

I don't believe HSBC would have been expected to identify and stop the payment received by their customer on 13 August 2024 totalling £12,785.89. I say this because:

- When the account was set up, annual business turnover was estimated to be £80,000. Usage of this account for the four months it had been open had been relatively low value. But there were credits and debits, and this was starting to build a head of steam around the time of this credit. As this was also a new business, I believe HSBC may have considered this showed genuine business use building up.
- The account was set up in the name which matches the payment R made. This was a limited company which HSBC could see was a new company. Information around the account set up shows HSBC carrying out proper checks into their customer.
- There was only one credit from R. This wasn't high value, in terms of potential business credits and on its own I see nothing which would have alerted HSBC that this was being made as part of a scam. That said, two subsequent credits were identified as potentially unusual, as these quickly followed R's payment, and were stopped from being used.

I appreciate that R has lost considerable funds as the result of a scam, but I don't believe it would be fair to ask HSBC to reimburse them.

### **My final decision**

For the reasons given, my final decision is not to uphold R's complaint against HSBC UK Bank plc.

Under the rules of the Financial Ombudsman Service, I'm required to ask R to accept or reject my decision before 19 February 2026.

Sandra Quinn  
**Ombudsman**