

The complaint

Mrs K complains Metro Bank PLC have failed to compensate her after she was robbed of the contents of her safety deposit box.

Mrs K is being represented by Mr K, but for ease I'll only talk about Mrs K, even if it might have been Mr K's comments.

What happened

Mrs K visited a branch to take out the contents of her safety deposit box and move it to another branch. After Mrs K left the branch, and went to put the items in her car, she was robbed and the contents of her box were stolen.

Mrs K complained to Metro and said there were some suspicious circumstances around when a box became available in store and the actions of Metro's staff. Mrs K felt there could be some complicity between the robbers and Metro staff.

Mrs K also felt the car park where she was robbed should fall under Metro's duty of care. And Metro had previously had a security guard working at the branch, but they weren't there the day she was robbed.

Metro responded to say it had given Mrs K some first aid after she was robbed as well as calling the police and giving the police CCTV footage. Metro said it wasn't responsible for the actions of the robbers off its premises.

Unhappy with this response, Mrs K brought her complaint to this service. An investigator looked into things but didn't think Mrs K's complaint should be upheld.

The investigator said this service isn't a court or law enforcement. The investigator thought the staff at Metro took some steps to prewarn Mrs K to be vigilant and didn't think there was any collusion between staff and the robbers.

The investigator thought the removal of the security guard was a commercial decision and probably wouldn't have stopped the robbery in any event.

The investigator said Metro gave the police the CCTV and it was still considering Mrs K's request for copies. And the investigator didn't see the impact of being without the CCTV as Mrs K's visit to the branch wasn't in dispute.

Mrs K disagreed. Mrs K sent in some information to lay out a legal position where Metro would be responsible for the car park, and therefore should have taken steps to make it secure and stop the robbery.

Mrs K also made several other comments to various points of the investigator's assessment. I don't intend to reply to each of these points, some are very closely related to others.

This service is an informal alternative to court, so I don't mean any discourtesy to Mrs K by not addressing each point made.

I think the relevant points from Mrs K's response are this service took Metro's submissions as the truth without any corroboration.

This service needs to consider relevant statutory law and legislation, and Mrs K doesn't feel this has been done.

Metro has a duty of care to protect Mrs K, and this extends to the car park as this is so close to the branch.

Metro needs to release the CCTV under the freedom of information act (FOIA), under penalty of committing an offence.

And Mrs K still feels the actions of Metro's staff, across several days, meant the robbers targeted Mrs K, knowing she would be removing the contents of her box on the day.

Mrs K asked for an ombudsman to decide her 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.

This service isn't a court, so I can't cross examine witnesses. This means this service tends to take submissions, from both parties, on face value unless there's good reason to believe the submissions are false.

Metro's sent in its comments to this service, and I don't think there's any reason to believe these submissions are false. And I take the same view for Mrs K's submissions.

Mrs K thinks this service should be corroborating Metro's submissions and comments, but I don't think this is something I need to do.

What happened to Mrs K must have been extremely distressing for her, and I have great sympathy for Mrs K.

There's no dispute Mrs K was robbed, and this happened in the car park outside the branch. I don't think Metro could be held responsible for a robbery taking place off its premises.

Mrs K has asked what would have happened if it had been in branch, but this would be a hypothetical event. I have to consider Mrs K's complaint on its individual circumstances and merits, and I don't think Metro's responsible for something happening in a car park outside.

Metro says a member of staff told Mrs K to be vigilant, and there is signage in branch to say people should be careful. Mrs K says she doesn't recall any signage, but Metro's sent in pictures of the inside of its branch, and I'm satisfied the signage is there.

But this signage wouldn't stop a violent robbery, what Mrs K was a victim of, so I'm not sure what more Metro or its staff could have done. Even if there'd been a security guard present,

I'm not sure this would have deterred a violent robbery.

Metro's explained it removed the security guard after it installed some frosted glass to obscure people accessing their safety deposit boxes. Metro also said other robberies had taken place even with a security guard present.

I don't think the lack of a security guard meant Mrs K was robbed.

And I don't think it would be appropriate for me to decide if there had been collusion between staff members and the robbers, effectively setting up the robbery. I think this would be a matter for the police and criminal courts, not this service.

Although I have to be mindful of relevant law, I don't think this extends to criminal statute around robbery or conspiracy to rob. Whilst I need to consider relevant financial law, I think it's a matter for the police or a court to decide most aspects of criminal law.

This also extends to whether Metro has a duty of care extending to the car park. Mrs K has quoted various pieces of legislation and specific court cases. But I have to decide what's fair and reasonable, and I don't think it's fair to say Metro has to secure the car park outside.

And since the robbery took place off Metro's premises, I don't think I can fairly hold it responsible for what happened.

Mrs K's asked how the robbers knew to target her, and on the day it happened. Again, I think this is for the police to answer. I would hope there's an investigation ongoing into the robbery and the police may be able to explain why it was Mrs K and when it happened.

Metro's said it gave the police the CCTV footage for the day, and I'd expect it to do this. Mrs K has said Metro has a duty, under FOIA, to give her a copy of the CCTV.

I'm not sure Metro would be bound by FOIA, it doesn't appear to fit the description of a public authority, what FOIA covers.

Metro's said it's considering the release of the CCTV under a subject access request, but this could be difficult to comply with as the CCTV footage likely contains images of other people, not just Mrs K, and this is likely to be considered their data.

This is why the investigator said the release of the CCTV likely wouldn't add much, it would only confirm Mrs K visited the branch on the day. This is because it's likely Metro would need to delete or blur anyone else in branch at the time.

If Mrs K feels Metro isn't complying with data protection rules, around the release of the CCTV, she might want to speak to the Information Commissioner's Office.

Ultimately, I need to decide whether it would be fair to hold Metro liable for the robbery Mrs K was a victim of.

I don't think I could fairly hold Metro responsible, I think the robbery took place off its premises and I've seen nothing to suggest there was collusion between Metro staff and the robbers, essentially setting Mrs K up.

And because I don't think I can fairly hold Metro responsible, I don't think I can tell it to compensate Mrs K for her loss or for the significant distress she was caused by the robbery.

My final decision

My final decision is I don't uphold this complaint.

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

Chris Russ
Ombudsman