

The complaint

Miss J is unhappy that Bank of Scotland plc (“BOS”) won’t refund the money she lost as part of a third-party scam.

What happened

I’m not going to cover all the points raised in detail. The view of 7 August 2025 covered the details of Miss J’s testimony and full timeline of transactions. But briefly in July 2024, Miss J was contacted about a remote job opportunity which involved submitting promotional tasks on a job platform. Miss J signed up to the job platform where she would complete tasks and could see her commission building up. Miss J was told that when she encountered a lucky order, a negative balance would appear on her account on the job platform, and she would need to make a deposit to temporarily make up the difference. This would then allow her to continue to complete the tasks with the promise of being able to withdraw her money along with the commission she’d earned.

In order to make the deposits on the job platform, Miss J was required to transfer funds to various individuals. These payments were made from her other accounts with two other institutions (I will refer to as R and T). But she transferred funds from her BOS account to R and T in order to fund those payments. She thought the funds she sent from R and T were crediting her account on the job platform but unbeknown to her the job platform was fake and the person she was communicating with was a scammer.

The deposit amounts required began to increase in size and Miss J followed the instructions of the scammer until the deposit amounts became too high for her to afford. She then realised that she’d been the victim of a scam.

Between 21 July 2024 and 29 July 2024 Miss J transferred the following payments from her BOS account to her own accounts elsewhere with R and T, and from there subsequently sent the funds to the scammers.

Date	Beneficiary	Value
21/07/2024	R	£354.99
22/07/2024	R	£1,354.99
22/07/2024	R	£1,354.99
22/07/2024	R	£1,354.99
22/07/2024	R	£1,002.99
22/07/2024	R	£1,002.99
22/07/2024	R	£1,002.99
23/07/2024	T	£1,000.00
23/07/2024	R	£1,002.99
25/07/2024	R	£2,002.99
26/07/2024	R	£53.99
26/07/2024	T	£1,900.00
26/07/2024	R	£915.99
29/07/2024	T	£1,900.00
29/07/2024	T	£1,698.00

29/07/2024	T	£1,615.00
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Greyed-out payments were stopped or returned to the account

BOS declined to refund Miss J. It said it did intervene and asked Miss J to visit a branch to confirm it was her making the payments. When they asked about the purpose of the payments, Miss J told staff the money was to help a family friend. It said, as she wasn't being honest, this impacted its ability to keep her money safe.

Our investigator did not uphold the complaint. He didn't think BOS missed an opportunity to do more to protect her funds and the bank were misinformed as to the purpose of the payment when they did intervene, hindering its ability to do more.

Miss J disagreed with the investigator's view. She said that although the payments were technically authorised, her consent was obtained under manipulation. When she was questioned in branch, she said she knew who she was sending the money to; this was not the truth it was the cover story the scammer instructed her to give. She repeated what they had drilled into her because she genuinely believed she was following the steps of a legitimate job. She believes BOS could and should have done more. She said the activity was unusual, and several payments had been stopped. Miss J feels simply asking questions and accepting the coached answers she was manipulated into giving was not enough. The scam has left a very significant financial and emotional impact, and she believes the bank safeguards fell short of what should be reasonably.

As the case could not be resolved informally, it has been passed to me for a decision.

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.

In deciding what's fair and reasonable, I'm required to take into account relevant law and regulations; regulatory rules, guidance and standards; codes of practice; and, where appropriate, what I consider to have been good industry practice at the time.

Where I can't know for certain what has or would have happened, I need to weigh up the evidence available and make my decision on the balance of probabilities – in other words what I think is more likely than not to have happened in the circumstances.

There is no dispute that Miss J has been the victim of a cruel scam, and I don't underestimate the impact this has had on her. I'm sorry she has lost so much money, and I can understand why she would like to be compensated for all her losses. But this doesn't automatically mean the bank is responsible for loss.

The scammer has been the primary cause of financial harm here, but there is no prospect of recovering Miss J's money from the scammer. The case I am considering is against the bank and is about whether it is fair and reasonable for the bank to refund Miss J those losses. In order to do so, I need to find that the bank did something wrong and, if so, that its actions were the cause of her loss.

In broad terms, the starting position at law is that banks such as BOS are expected to process payments and withdrawals that a customer authorises it to make, in accordance with the Payment Service Regulations (in this case the 2017 Regulations) and the terms and conditions of the customer's account. However, where the customer made the payment as a consequence of the actions of a fraudster, it may sometimes be fair and reasonable for the bank to reimburse the customer, even though they authorised the payment.

In this case, Miss J transferred money to her own accounts with other institutions – R and T. The money was then transferred from there to the scammer. These transactions (transfers to her own accounts) of themselves are not a scam. The scam happened after that; by Miss J moving the money from her accounts with R and T onto the scammer.

That said, BOS ought to fairly and reasonably be alert to fraud and scams and these payments were part of a wider scam. So, I need to consider whether it ought to have done more when Miss J tried to make the payments.

Banks process high volumes of transactions every day and they can't reasonably be involved in every transaction. There is a balance to be struck between identifying payments that could potentially be fraudulent and minimising disruption to legitimate payments.

At the time, BOS wouldn't have known Miss J was making payments towards a scam. It's only now, with the benefit of hindsight, that we know the payments were being made as the result of a scam. The initial payments were spread out and low in value and the payments were being made to accounts in her own name. That said, BOS did intervene with the payment journey and blocked a payment on 23 July 2024. It asked Miss J to visit a branch where it asked her further questions before processing the payment.

I agree BOS could have made better enquiries about the payments and why they were being made. But I'm not persuaded that would have prevented Miss J's loss in this case.

I say this because by her own admission, Miss J had been subject to social engineering and was being coached extensively by the scammer. This included how she should answer questions posed by the bank about the payments she was making. Having listened to the calls that took place between Miss J and the fraud team when Miss J did not disclose the real reasons for the payment, I'm satisfied that had there been better questioning, Miss J would have continued to have answered questions in such a way as to avoid alerting BOS to what was really happening. The bank can only warn about the scam risks it is able to identify through its questioning and there was nothing about the transactions or the information Miss J shared that could reasonably have led to it believe she was falling victim to a job scam.

Whilst Miss J has undoubtedly been the victim of a cruel scam, I can only uphold her complaint if I'm satisfied BOS's failings made a material difference to what happened. For the reasons given, I'm not persuaded it would have.

I'm also not persuaded there were any prospects of BOS successfully recovering the funds, given the money was sent to an account in Miss J's own name elsewhere.

I want to reassure Miss J that I'm not placing blame or responsibility on her for what happened – as, unfortunately, she has been the victim of a cruel scam. I have a great deal of sympathy for Miss J and the loss she's suffered, as I appreciate it is a significant sum of money to her and will also impact her further.

This is not an easy decision for me to make, but it would only be fair for me to direct BOS to refund her loss if I thought they could have prevented it – and I'm not persuaded that this was the case. For the above reasons, I don't think BOS has acted unfairly by not refunding the payments.

My final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss J to accept or

reject my decision before 24 November 2025.

Ombudsman