

## The complaint

Mr P is unhappy with National Westminster Bank PLC. He's unhappy with the way NatWest acted between 26 July 2018 and 5 December 2018 around his gambling activity from his bank account. He said it should have noticed he was vulnerable.

## What happened

Mr P said he didn't realise at the time NatWest had behaved inappropriately, he said he had only recently learned this.

Mr P said long before July 2018 he had a long history of gambling, pay day loans and debt. He said he frequently placed bets of between £20 and £100 and lost a significant amount during 2016 and 2017. Mr P said he did tell a NatWest member of staff at the time that he was seeking help for his gambling.

On 26 July 2018 a work investment scheme paid out to Mr P just under £300,000. He gambled this amount and more across 12 different UK betting companies and suffered a net loss of £327,913 after he took into account the amounts he got back in winnings.

Mr P detailed all the months and the transactions over the period. He claimed NatWest should have done more to intervene as his level of spending increased dramatically. Mr P said NatWest should have been in touch and that period of time basically ruined his life.

He said NatWest wasn't taking responsibility for its actions. He mentioned that he had later registered with GamStop.

NatWest said it couldn't find any record of Mr P telling a NatWest member of staff about a gambling addiction due to the time elapsed. It said there was no record of this. NatWest said on 18 July 2018 there was a discussion with a NatWest Private Banking Manager (PBM) as Mr P was close to his overdraft limit. NatWest detailed the discussion this way, *"You confirmed that you were not concerned as you were expecting a large credit at the end of August. Your PBM advised a face to face would be beneficial for a review of your finances and to call back with best times, there was no evidence of a call back received."*

NatWest said large sums were credited to Mr P's account and later two transactions were flagged for fraud checks. But in both instances telephone discussions between Mr P and NatWest confirmed the transactions were genuine.

NatWest said the PBM did try to call Mr P again on 24 October 2018 but left a message as Mr P wasn't available. The PBM asked Mr P to call back. But no call back was received. NatWest did accept it has different tools to support customers available now that it didn't have back in 2018.

It concluded there was no requirement on NatWest to monitor customer accounts for gambling transactions. NatWest said it was up to customers how they spend their money. It doesn't have systems in place to regulate or limit how much or how often a customer uses their account to fund gambling activity.

NatWest concluded that the gambling was over a short period of time and Mr P's finances throughout were in an improved position from where they had been previously. But it said it could have offered support and so awarded Mr P £750 to acknowledge the distress and inconvenience caused. It said it would pay the money into Mr P's Flexible Saver account unless he wanted it paid to an external account.

NatWest said Mr P would have needed to agree to account restrictions and this wouldn't have stopped gambling transactions by other means through third party bank accounts or cash. It noted that it didn't have gambling blocks available to it until 2020. So that couldn't have applied in 2018 when Mr P was making these bets.

NatWest said in terms of support it would have pointed out external options. But said Mr P had confirmed he was aware of external support from 2017 and hadn't used it. It said despite calls from his PBM Mr P never returned the calls and never proactively approached NatWest for support around gambling addiction.

NatWest said Mr P was getting monthly payments indicating either a close relationship or being employed by a business that's primary activity was gambling during this time. NatWest said due to this Mr P would be aware of how to get support. In view of this it said it wasn't going to refund gambling transactions.

NatWest raised jurisdiction and said this service couldn't look at anything more than six years prior to the complaint being made. Meaning we can't consider anything prior to 5 September 2018. That has been dealt with through a separate jurisdiction decision accepting NatWest's point.

Mr P brought his merits complaint to this service.

Our investigator didn't uphold the complaint. He said NatWest spoke to Mr P in September 2018 about the potential fraud transactions on his account. Our investigator noted NatWest accepted this was an opportunity to potentially discuss Mr P's gambling and that was why it had awarded him £750. He said as NatWest would have signposted Mr P to external companies for support, he didn't think this would have made any difference to Mr P at the time. He said Mr P was likely to carry on gambling. He concluded the £750 for the missed opportunity to signpost Mr P elsewhere was fair and reasonable.

Mr P didn't accept this and asked for his complaint to be passed to an ombudsman for a final 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.

I am only looking at what occurred from 5 September 2018 onwards as part of this complaint.

Mr P said he did reach out to NatWest but there's no record of this. What there is a record of is NatWest trying to contact Mr P and leaving him messages that went unreturned. I noted the texts Mr P shared with this service that dated back to this period. These didn't refer to gambling but did show NatWest had suggested meeting with Mr P in the future. And in the time frame of this complaint the PBM did try to call Mr P on 24 October 2018, but Mr P didn't return the call.

Mr P said he felt NatWest had been negligent in the treatment he received as he was making transactions that were inconsistent with his prior financial behaviour.

He said NatWest should have intervened and placed safeguards on his account. He said there were industry requirements and a duty of care on NatWest.

Mr P said he wants fair compensation.

The two fraud transactions were flagged up in the period after 5 September 2018. There were discussions around these, and NatWest accept it could have done more to engage with Mr P at this point. It said it should have spotted the opportunity but said gambling support arrangements weren't as advanced in 2018 and it would have been different if the issue occurred now. But at the same time Mr P never raised any issues during these discussions with NatWest. So, I don't think NatWest was aware that Mr P now feels he was vulnerable at the time. In discussion over the fraud transactions Mr P wanted the payments to go through, he didn't ask NatWest to stop the transactions or for its help.

NatWest said there was no trigger to intervene prior to September but that it could have explained the support it did have available from that point. And the fraud calls were an opportunity to intervene. So, I think it is fair that NatWest has acknowledged this and offered the £750 compensation. I think that's reasonable.

The PBM follow up was in October 2018 but despite leaving a message for Mr P he didn't call back according to NatWest records.

I understand the point Mr P makes about the limited support that was available back in 2018. It is clear it was limited but Mr P said more should have happened and NatWest is to blame. I don't accept that. It did call him and leave messages. It did speak to Mr P and he could have asked it to stop the transactions going through, but he didn't.

I think NatWest acted reasonably.

### **My final decision**

I don't uphold this complaint.

I make no further award against National Westminster Bank PLC.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr P to accept or reject my decision before 21 October 2025.

John Quinlan  
**Ombudsman**