

## The complaint

A company I'll refer to as F complains that ClearBank Limited didn't do enough to prevent their losses to an alleged scam. They'd like to be reimbursed.

F is represented by Mr C, a director of the business. ClearBank provided the banking services for Tide. For ease of reading, I shall refer to Tide in this decision.

## What happened

The facts of this case are well known to both parties, so I'm only going to mention them briefly. Mr C was looking for specialist services with F, and was introduced to an individual I'll refer to as B. In January 2024 Mr C made four transfers from F's account with Tide, totalling £20,250. However, Mr C came to believe that F had been caught up in a scam run by B and contacted the police. Mr C was told by the police that there was an ongoing investigation into B, with similar stories from other potential victims. He reported this to Tide – however no funds remained to be returned to F, and Tide declined to offer any reimbursement.

Not satisfied with this Mr C referred F's complaint about Tide to our service. He said that the police investigation was only focused on a limited number of companies linked to B, and not the company who held an account with Tide. One of our investigators looked into what happened, but she didn't think Tide needed to reimburse F. Mr C disagreed, and as such the complaint was passed to me to decide. Upon review, I reached the same outcome as our investigator although my reasoning was different. As such I issued a provisional decision.

## My provisional decision

*I understand Mr C feels very strongly that F has been defrauded. Here, the company that F paid from their Tide account is not one of those included in the police investigation – although from Mr C has told us the transactions only came about because of F's involvement with B. So, I see that they are closely related. And the evidence that the payments were the result of a scam isn't conclusive – and in any event Mr C seems to have only reached this conclusion considerably after the payments were made.*

*But in any event, I don't see I need to draw a conclusion as to whether this was a scam or not, as I'm not persuaded Tide have done anything wrong by processing the payment requests. And I'm not minded they should be liable for refunding F. I appreciate this will be disappointing to Mr C, but I'll explain why.*

*Tide's primary responsibility is to process payment requests from their customers promptly, and with the minimum of fuss. There's no dispute here that F intended to make these payments, under the relevant regulations – the Payment Services Regulations 2017 – there's no specific obligation on them to reimburse F if they later turn out to be fraudulent. Tide weren't a signatory to the Lending Standard Board's Contingent Reimbursement Model (CRM) code – which was a voluntary code where financial businesses agreed to refund victims of authorised push payment fraud.*

*But I have considered what's fair and reasonable in the circumstances of the complaint. Tide, like all financial firms in the UK have an obligation to monitor accounts and transactions – and if a particular transaction looks very unusual, or particularly high-risk, then I may expect them to ask further questions of their customer about it. But any intervention like this must be proportionate to the risk involved.*

*Looking at the Tide account, I'm not persuaded that I would reasonably have expected them to ask F further questions about the payments. The values aren't especially high or unusual for a limited company account – the account had been used for higher value transactions than the first couple previously. The payments themselves are spaced out over several days, which would lessen any perceived risk.*

*But even if Tide have intervened, I'm not persuaded that the outcome would have been any different – at the time Mr C believed the payment to be for a genuine purpose. And I don't see a proportionate reason for Tide to refuse to process the transactions.*

*By the time Mr C reported the scam, the receiving party has confirmed that the funds had been moved on. So, I don't see there is more Tide could be expected to do. I'm not persuaded here that they have done anything unreasonable or unfair, that has ultimately contributed to any loss to F. So, on that basis I'm not intending on asking them to do anything further.*

### **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.

Neither party responded to the provisional decision before the deadline. Without any new arguments or points to consider, I remain satisfied with the conclusions reached in the provisional decision.

### **My final decision**

My final decision is that I do not uphold this complaint, for the reasons given above.

Under the rules of the Financial Ombudsman Service, I'm required to ask F to accept or reject my decision before 3 March 2026.

Thom Bennett  
**Ombudsman**