

THE COMPLAINT

Mr A's complaint is about TSB Bank plc ("TSB").

WHAT HAPPENED

The circumstances of this complaint are well known to all parties concerned, so I will not repeat them again here in detail. However, I will provide an overview.

On 14 August 2025, a sum of £300 was credited to Mr A's TSB account from another bank ("Bank A") and subsequently withdrawn on the same day via an ATM. I refer to this payment as the "Transaction".

Bank A raised a fraud claim with TSB in relation to the Transaction. TSB subsequently questioned Mr A about this. As TSB did not find Mr A's response satisfactory, it filed a Cifas Category 6 marker against him.

Mr A disputed the above with TSB. Unhappy with its response, Mr A raised a complaint which he then referred to this Service.

One of our investigators considered the complaint and did not uphold it.

As Mr A did not accept the investigator's findings, this matter has now been passed to me to make a decision.

WHAT I HAVE 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 find that the investigator at first instance was right to reach the conclusion she did. This is for reasons I set out in this decision.

I would like to say at the outset that I have summarised this complaint in far less detail than the parties involved. I want to stress that no discourtesy is intended by this. If there is a submission I have not addressed, it is not because I have ignored the point. It is simply because my findings focus on what I consider to be the central issues in this complaint.

Further, under section 225 of the Financial Services and Markets Act 2000, I am required to resolve complaints quickly and with minimum formality.

Key findings

Authorisation

Having considered the evidence available to me, I am satisfied that the Transaction was authorised for the purposes of the Payment Services Regulations 2017.

Cifas marker

The marker that TSB has filed with Cifas is a Category 6 marker. In order to file such a marker, TSB is not required to prove beyond reasonable doubt that Mr A is guilty of a fraud or financial crime, but it must show that there are grounds for more than mere suspicion or concern. Cifas states, amongst other things:

- *There must be reasonable grounds to believe that an identified fraud or financial crime has been committed or attempted; [and]*
- *The evidence must be clear, relevant and rigorous.*

Bank A raised a fraud claim with TSB in relation to the Transaction. TSB therefore asked Mr A to provide information about it. In his initial response, Mr A stated, *“I only sold some speakers online, I have never engaged in fraud.. attached are proof.”* The material he provided appears to consist of photographs of boxes said to contain speakers ready for dispatch, together with screenshots of what appear to be WhatsApp messages exchanged between Mr A and a buyer.

At a later stage, Mr A provided TSB with a different account of how the Transaction occurred. This is the account he also provided to this Service:

“I was approached via WhatsApp by an individual using the UK number [mobile number], who presented what appeared to be a legitimate part-time job opportunity affiliated with TikTok For Business. The messages included professional-looking advertisements, links to TikTok content, and references to marketing partnerships. I was instructed to complete simple tasks such as watching videos and submitting screenshots, and was promised small payments in return.”

“Initially, I was told I would receive £5 for completing a task. I was then asked to provide my bank details so the payment could be processed. However, instead of £5, I unexpectedly received a payment of £300 into my account. Immediately after, I was contacted and told that an error had occurred and that I must return £225 to another affiliate team via Ria Money Transfer. Believing I was cooperating with a legitimate employer and correcting a mistake, I complied with the instructions.”

Mr A has provided screenshots of messages which he says support the above testimony.

Having weighed Bank A’s fraud claim against Mr A’s testimony and the supporting evidence, I am persuaded that TSB was justified in filing the marker with Cifas.

A striking feature of this case is the material change in Mr A’s testimony regarding the Transaction – from initially stating that it arose from the sale of speakers online, to later describing himself as the victim of a task related job scam.

In response to the investigator’s findings, Mr A stated that, amongst other things, *“I*

was coached by the fraudsters to describe the transaction as relating to the sale of speakers. This coaching is a recognised and common feature of employment and authorised push payment scams, specifically designed to defeat bank intervention."

I accept that the coaching Mr A describes is commonplace in authorised push payment scams. Scammers often deceive victims into providing a "cover story" in the event that a bank intervenes in a payment transaction connected to the scam. However, in Mr A's case, TSB did not carry out an intervention. Mr A provided his cover story after the Transaction had already taken place. Further, from what I can see, the first occasion on which Mr A raised the argument that he had been coached by scammers was in response to the investigator's findings not being in his favour. I cannot see that he raised this point with TSB, or when he initially referred his complaint to this Service. This is something I would have expected a reasonable person in Mr A's circumstances to have done; in order to assist TSB and this Service with their investigations. It also seems unusual that Mr A would have continued to rely on the cover story after the Transaction had been completed. In any event, Mr A gave an inaccurate account to TSB when it questioned him about the Transaction.

In light of the above, I am not persuaded that, as Mr A argues, "*... there was no intention to mislead, no attempt to gain financially, and no knowledge of wrongdoing at that time.*"

Taking all the above points into account, I am satisfied that the Cifas grounds referred to above are met in this case. I therefore do not find that TSB did anything wrong when it filed the marker with Cifas. It follows that I will not be requiring it to do anything further.

In my judgment, this is a fair and reasonable outcome in the circumstances of this complaint.

MY FINAL DECISION

For the reasons set out above, my final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 12 May 2026.

Tony Massiah
Ombudsman