

The complaint

Mr P complains Bank of Scotland plc trading as Halifax (Halifax) didn't intervene when he was spending large amounts gambling.

What happened

Mr P says he started gambling excessively between April and September 2019. Mr P says this spending was funded by short term loans, credit cards and money he stole from his employer.

Mr P says he'd previously experienced problems gambling and had defaulted on a mortgage with Halifax because of this.

Mr P complained to Halifax, saying it had a duty of care to him and should have realised he had a problem with gambling because of the volume and size of transactions he was making to gambling companies.

Mr P says any kind of interaction around 2019, when he stole from his employer, would have stopped him gambling.

Halifax responded to say it wasn't aware of Mr P's gambling problem at the time and because of this it wouldn't refund any of the money he spent.

Unhappy with this response Mr P brought his complaint to this service. An investigator looked into things and sent two assessments and some further comment.

The investigator thought Mr P couldn't complain about all the transactions because some were more than six years ago, Mr P knew he could complain and Halifax hadn't consented to the service looking at the older transactions.

The investigator didn't think Halifax knew about Mr P's gambling problems, it had no records of notes from 2015 or 2017 when Mr P's mortgage fell into arrears.

The investigator also said Halifax had limited tools available in 2019, it's card block didn't come in until after the period Mr P is complaining about.

And, in any event, the investigator thought an intervention from Halifax wouldn't have worked, it was clear Mr P had a compulsion to spend, one so severe he'd stolen from his employer.

Mr P didn't agree, he felt the earlier assessments lacked detail, Halifax knew about his problem with gambling and even if it didn't it should have known because of the spending on his account, and it should then have intervened.

Mr P asked for an ombudsman to decide his 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.

I agree with the investigator around the rules on time, I think Mr P has brought parts of his complaint to this service too late.

Our service is set up under a set of rules, DISP, and DISP 2.8.2R says:

The Ombudsman cannot consider a complaint if the complainant refers it to the Financial Ombudsman Service:

(2) more than:

- (a) six years after the event complained of; or (if later)*
- (b) three years from the date on which the complainant became aware (or ought reasonably to have become aware) that he had cause for complaint;*

unless:

- (3) in the view of the Ombudsman, the failure to comply with the time limits in DISP 2.8.2R or DISP 2.8.7R was as a result of exceptional circumstances; or*
- (5) the respondent has consented to the Ombudsman considering the complaint where the time limits in DISP 2.8.2R or DISP 2.8.7R have expired*

Mr P says he didn't know he could complain about the gambling on his account, but I don't think this is the relevant test. Mr P knew he'd made the transactions, and he knew he could complain to Halifax, he'd done this in 2015, 2018 and again in 2020.

Mr P hasn't mentioned any exceptional circumstances and Halifax hasn't consented to this service looking at older transactions than six years from when Mr P referred his complaint to this service, 9 June 2025.

This means I can only consider transactions less than six years from this date.

Mr P says Halifax knew about his problems with gambling. I believe Mr P when he says he told Halifax about his gambling problems when he missed payments on his mortgage.

And I can see Halifax responded to a previous complaint in 2015 and mentioned payments to gambling companies then, so I think Halifax knew Mr P gambled on his account.

Halifax's card block wasn't available until November 2019, so I think the help Halifax could offer Mr P at the time would have been limited. And, like the investigator, I don't think an intervention from Halifax would have stopped Mr P gambling.

Mr P says he stole from his employer to fund his gambling, so clearly there was a very strong compulsion to spend.

I don't think a conversation with someone at Halifax, talking about the payments he was making, would have stopped Mr P spending compulsively.

I've read Mr P's psychiatric report, and it's clear from this he had a problem gambling, and it took intense intervention to stop him from spending compulsively.

And it seems Halifax did, in part, challenge Mr P about his gambling in 2015. Halifax sent a response on another complaint, saying it didn't think he had financial difficulties and specifically references payments to gambling companies.

It seems this didn't stop Mr P gambling, and it seems he only stopped when the theft was found out.

I have a lot of sympathy for Mr P, it's clear he's had a really difficult time with gambling and money more generally.

I can also see Mr P's made a determined effort to repay what he took and to stop gambling.

But I don't think this means Halifax made a mistake in the way it dealt with Mr P's accounts. Mr P authorised the payments to the gambling companies, and Halifax couldn't place a specific card block for gambling payments on his account at the time.

Even if Halifax had blocked Mr P's card for all transactions, Mr P would still have been able to access cash in branch, Halifax wouldn't have been able to stop Mr P withdrawing money from his account, so I don't think this would have stopped Mr P gambling.

And while I think Halifax was on notice Mr P had a problem with gambling, I don't think any form of intervention from Halifax would have stopped Mr P's intense compulsion to spend.

Because of this, I don't think Halifax needs to refund any of the money Mr P spent or do anything else to resolve things for him.

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 Mr P to accept or reject my decision before 5 May 2026.

Chris Russ
Ombudsman