

The complaint

Ms S is unhappy that Santander UK Plc won't refund payments she made because of a task-based scam.

What happened

I won't repeat all the facts of Ms S's complaint, as they are well known to the parties. I will provide a short summary though, and where we are at with it.

Ms S received a message about what she thought was a job opportunity. The premise was that for every set of tasks Ms S completed, she would receive commission. Things worked as she had been told they would initially, and after completing some sets of tasks, she received small payments back that she thought was her commission.

Unfortunately, though, Ms S was in contact with scammers, and they were attempting to get her to transfer money to a cryptocurrency exchange and then onto their wallet. Between 28 December 2024 to 4 January 2025, Ms S made multiple payments to a cryptocurrency exchange account in her name. These payments were then transferred on to the scammers. Ms S only realised she had been scammed when she tried to withdraw further funds and couldn't. By this stage the value of the payments had increased significantly, and Ms S had paid the scammers £16,748.

Ms S then enlisted the help of professional representatives, and they made a complaint on her behalf. They said Santander should have done more to protect Ms S and her money.

Santander replied that Ms S needed to raise a complaint with the company that she transferred the money to, as they were the point of loss. It said Ms S paid money into an account that she had control over. It said Ms S didn't pay the scammers directly from her Santander account.

Unhappy, Ms S brought her concerns to our service to investigate. Two investigators from our service looked into her complaint. The first investigator said she could not recommend Santander should provide a refund. She said for the first five payments, she wouldn't have expected Santander to have been concerned about them, based on Ms S's previous spend. But the investigator concluded from the larger sixth payment it ought to have recognised it carried a higher risk of harm. She concluded Santander did identify on two occasions, that she was and carried out interventions. She concluded based on what Ms S said, that she didn't think any further intervention would have made a difference.

The second investigator in their view then described what happened during the calls: that Ms S gave some misleading answers about why she was discussing payments with Santander. He concluded he wasn't persuaded any interventions by Santander would have altered the outcome or exposed the scam. He said he did not consider Santander could have done anything further to prevent the payments from going to the scammer. He also didn't uphold Ms S's complaint.

Ms S and her representatives were not happy with the investigator's outcome. The representatives and the investigator had a detailed discussion about what happened. In their last submission the representatives made several points, including:

- Ms S did not mislead Santander. They said she answered the questions honestly, based on her understanding of what happened.
- Santander failed to ask sufficiently probing or appropriately framed questions. Had it done so, it would have uncovered the scam.
- The nature of the activity and transactions was not consistent with any legitimate investment and should have been picked up by Santander.
- Santander failed to identify or act on information available to it.
- Had Santander intervened appropriately, Ms S would have been prevented from making further payments and her losses would have been avoided.

They asked for an ombudsman to look at the complaint, so it has been passed to me.

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.

Having done so, I've reached the same outcome as our investigator for these reasons:

- The starting position in law is that Ms S is responsible for the payments she made. And Santander has a duty to make the payments she tells it to. But, as supported by the terms of the account, that doesn't preclude Santander from making fraud checks before making payment. And, considering regulatory expectations and good industry practice, I'm satisfied that it should fairly and reasonably do this in some circumstances.
- Looking at Ms S's account history, I'm not persuaded the first five payments up to £750 appeared so uncharacteristic that Santander ought to have suspected she was falling victim to a scam. They weren't significant in value; and Ms S had made similarly sized payments previously. Given the value of the payments and how they were broadly in keeping with Ms S's spending, I'm not persuaded these payments were sufficiently unusual or indicative of fraud to require Santander to intervene at this stage.
- Ms S attempted to make a larger sixth payment of £1700. Santander discussed the payment with Ms S, who told it she was sending the money to her cryptocurrency account as she was investing the money. Santander then provided a cryptocurrency investment scam warning, based on the answers Ms S gave. Ms S went ahead with the payment.
- Ms S then made a further two large payments, £4,700 and £9,000, two days later. Again, Santander intervened and called Ms S to ask several probing questions about the second payment. Again, Ms S said similar things: that she was investing in cryptocurrency and looking for a return.
- I think it is clear on reading what has been said since that Ms S was going to make these payments regardless of Santander's interventions. I can also see that Santander did ask questions and provided a tailored warning based on the answers that it received on each occasion. I don't think it was unreasonable or unfair when it

did this. But Ms S gave her answers and went ahead with the payments anyway. I don't think Santander made any mistakes here or that it can be held responsible for this.

- Ms S's representatives have made quite a lot of points about what was said between the parties and that Ms S was giving honest answers based on what was happening. But I can clearly see that Ms S hadn't mentioned anything about the reason for the payments, or who ultimately, she was paying and why. Instead, she said she was investing in cryptocurrency to try and obtain an investment return. I don't think, after looking through what happened here, Santander had a realistic prospect of uncovering that this was a task-based scam.
- Even if Santander had asked more specific or differently framed questions, I'm not persuaded Ms S would have provided answers that revealed the scam. She had been coached to present the payments as legitimate and, when questioned, maintained that position. So, any further intervention would still have depended on her departing from that account, which I don't think is likely, on balance. It follows that I don't uphold Ms S's complaint. I am not persuaded Santander had a realistic prospect of preventing Ms S from proceeding with these payments here.
- Santander has not been able to recover any of the faster transfer payments, and this is because they went to an account in Ms S's name and then went onto the scammer. So, I understand why it has not been able to do this. As the money went initially to an account held and was in control by Ms S, they wouldn't have met the criteria for a refund.
- I do appreciate how disappointing this will be for Ms S, and I am sorry this has happened to her. It is clear to me that she has been the victim of a cruel scam here. But for the reasons I've explained, I don't think her losses can be attributed to something Santander did wrong. So, I don't uphold her complaint.

My final decision

For the reasons I've explained, my final decision is that I do not uphold Ms S complaint. Under the rules of the Financial Ombudsman Service, I'm required to ask Ms S to accept or reject my decision before 15 May 2026.

Mark Richardson
Ombudsman