

complaint

Mr and Mrs G complain that Lloyds Bank plc will not reimburse them for money that they lost when a cheque was returned unpaid.

background

Mrs G deposited a cheque for £4,000 into their account in early July 2015. The cheque was returned unpaid a few days later but by then they say that they had provided jewellery worth £4,000 to the sender of the cheque. They complained to Lloyds that it had given them inaccurate information. They weren't satisfied with its response so complained to this service.

The adjudicator didn't recommend that this complaint should be upheld. He concluded that there wasn't enough information to show Mrs G was misadvised in the branch by Lloyds which led her to send the jewellery to the scammer. He had considered statements from both Mrs G and Lloyds' branch staff. He also considered Lloyds' electronic records which show no staff activity on Mrs G's account on the day that she visited the branch. And he considered the correspondence that Mrs G had sent him. But he concluded that there was no clear indication that she was going to receive a bank draft rather than a cheque.

Mr G has asked for this complaint to be considered by an ombudsman. He says, in summary, that he can't believe that there isn't enough information or CCTV footage to show that Lloyds showed his wife the balance of the account and that it was ok to release goods.

my findings

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 adjudicator – and for the same reasons. Mr and Mrs G appear to have been the unfortunate victims of a fraud – and for that they have my sympathy. But Lloyds says that the CCTV footage shows that there was no point at which the member of staff checked the screens to see if the cheque had cleared. I find that it wouldn't be fair or reasonable in these circumstances for me to require Lloyds to reimburse the money to Mr and Mrs G or to take any other action in response to their complaint.

my final decision

So my decision is that I don't uphold Mr and Mrs G's complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr and Mrs G to accept or reject my decision before 19 February 2016.

Jarrod Hastings
ombudsman