

## **complaint**

Mrs C complains that Lloyds Bank PLC ("Lloyds") won't refund her after she fell victim to a scam.

## **background**

In May 2015 Mrs C received a call from somebody she thought was from Lloyds. She was told that her account was at risk, and that in order to protect her money she should transfer it from her ISA to her current account, and then again to another account.

She then transferred £6,900 to this "safe" account.

Almost immediately she felt that something wasn't right and called Lloyds to discuss the matter. In doing that she found out that she'd been scammed.

Mrs C complained to Lloyds. She felt it could have done more to prevent the transfer happening. She was also unhappy with how long it had taken to try to recover the money after she'd told it what had happened.

Lloyds said that it couldn't have known Mrs C was going to be scammed, and simply acted on her instructions when she made the online transfer. It also said that as the money had already been taken out of the receiving account within fifteen minutes of the transfer, that it wouldn't have been able to get it back within that timescale. For these reasons it couldn't give Mrs C her money back.

Mrs C wasn't happy with this and complained to this service. She said that she'd previously been in touch with Lloyds in October 2014 after she'd given her banking details to Sky, and was worried that she'd left herself vulnerable to fraud. She said Lloyds could have suggested at that point that she changed her account, to prevent something happening further down the line.

Our adjudicator looked at the complaint, and while she could see that Mrs C had genuinely been duped, she didn't feel it was fair to hold Lloyds responsible for it.

Mrs C still didn't agree, and the complaint has now come to me for a final decision.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Having done this, I'm afraid I have to tell Mrs C that I don't think Lloyds needs to refund her the money she's lost.

I don't think it could have known that she was going to be a victim of a scam, and therefore couldn't have avoided it.

I've also looked into whether it should have done anything to protect her account after the October 2014 incident, but it has no record of any relevant calls from Mrs C, or payments made/recovered from her account at that time.

Turning to recovery of the £6,900 transferred, I can understand entirely why Mrs C found it distressing, having realised what had happened to her, to be put on hold for over 20 minutes before she could speak to Lloyd's fraud department about it. This is made worse by the fact that she was then cut off.

However, given what I know about what happened to the money once it was paid into the receiving account, which is that within fifteen minutes it was all withdrawn, I think it's most unlikely it would ever have been able to get it back in that timescale anyway.

For these reasons it wouldn't be fair for me to ask Lloyds to repay the lost money.

However, I do think that Mrs C's distress was made worse by the fact that she was kept hanging on, and was then cut off, when she called Lloyds to tell it what had happened. I see that Lloyds has already paid £75 for this, but I don't think that's enough. I think it should pay an extra £100.

### **my final decision**

My final decision is that Lloyds Bank PLC should pay Mrs C an extra £100 to resolve this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs C to accept or reject my decision before 6 November 2015.

Ashley L B More  
**ombudsman**