

complaint

Mr W complains that National Westminster Bank Plc did not place a restriction on his card as he had requested and that this has contributed to gambling losses he has made.

our initial conclusions

Our adjudicator did not recommend that this complaint be upheld. He did not consider a restriction on Mr W's card would have stopped him gambling and would have caused other problems. Nor did he consider it likely that Mr W had asked NatWest to place a restriction on his card. Mr W disagreed saying that we should speak to the member of staff he talked to about the restriction.

my final decision

To decide what is fair and reasonable in this complaint, I have considered everything that Mr W and NatWest have provided.

Mr W has admitted that he has a gambling addiction and says that he has lost over £150,000 as a result. I can see that he has taken steps to try and deal with this.

Mr W says that he spoke to a member of staff at NatWest in 2006 and they agreed to place a daily withdrawal limit of £50 on his card. I consider it more likely than not that Mr W did so. I am, however, satisfied that no such limit was placed on his card. However, I am also satisfied that even if it had been Mr W would have found ways to get around it given his addiction.

I am, given the above, not satisfied that there is anything NatWest could have done that would have stopped Mr W making the large losses he has. I have complete sympathy for Mr W, but in this case it would not be appropriate to make NatWest liable for all or some of the losses he has made.

My final decision is that I am not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr W either to accept or reject my decision before 23 June 2014.

Nicolas Atkinson

ombudsman at the Financial Ombudsman Service

The ombudsman may complete this section where appropriate – adding comments or further explanations of particular relevance to the case.

ombudsman notes

what is a final decision?

- A final decision by an ombudsman is our last word on a complaint. We send the final decision at the same time to both sides – the consumer and the financial business.
- Our complaints process involves various stages. It gives both parties to the complaint the opportunity to tell us their side of the story, provide further information, and disagree with our earlier findings – before the ombudsman reviews the case and makes a final decision.
- A final decision is the end of our complaints process. This means the ombudsman will not be able to deal with any further correspondence about the merits of the complaint.

what happens next?

- A final decision only becomes legally binding on the financial business if the consumer accepts it. To do this, the consumer should sign and date the acceptance card we send with the final decision – and return it to us before the date set out in the decision.
- If the consumer accepts a final decision before the date set out in the decision we will tell the financial business – it will then have to comply promptly with any instructions set out by the ombudsman in the decision.
- If the consumer does not accept a final decision before the date set out in the decision, neither side will be legally bound by it.