

## **The complaint**

Ms J is unhappy with the service provided by National Westminster Bank Plc after she was the victim of a scam.

## **What happened**

On 14 January 2022, Ms J was called by someone pretending to be her bank. She was persuaded to make three payments to fraudsters under the belief she was acting to protect her account. The last payment was stopped by NatWest's fraud detection systems.

Ms J says she attempted to contact NatWest on multiple occasions following the scam but had great difficulty being able to speak to anyone.

After she was able to report what happened, NatWest said it wouldn't refund her money as she hadn't taken any steps to verify the caller, but it would try and recover the funds from the firm that received them.

£3,014.98 (about two thirds of the money Ms J lost) was recovered and returned to NatWest three days later. However, it wasn't returned to Ms J. Instead it remained in one of the bank's general accounts.

In the first few days of February 2022, Ms J, anxious for the return of her funds, complained to the bank. On 8 February 2022, NatWest spoke to Ms J and apologised for not having returned her funds sooner. It also said it would repay the rest of the lost money – £1,484.91 as a gesture of goodwill, as well as £100 in compensation to reflect the distress and inconvenience caused. NatWest wrote to Ms J with its response to her complaint on the same day.

Ms J, although delighted by the return of her money, remained unhappy with the service she'd been provided. She wanted to ensure that mistakes of this nature didn't happen again. She was also concerned that she'd only received a refund because she'd complained, and she worried about what might happen to other customers in her situation who might not do the same. She said that the bank's error in returning the funds had delayed the purchase of her recently deceased husband's property and caused her to worry she wouldn't be able to purchase it at all.

Ms J referred the matter to our service, and, in its submissions, NatWest offered a further £100 in compensation.

One of our investigators looked into the complaint and thought that the bank's remedial actions, including the further offer of compensation, fairly reflected the impact of its errors.

Ms J didn't agree, so the case was passed to me for a final decision.

## **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.

It's clear that Ms J has been through a very distressing experience and I'm sorry to hear about the impact this matter has had on her.

I've thought carefully about whether NatWest has done enough to put things right and, while I know this will be disappointing for Ms J, I think it has. I'll explain why.

I've seen nothing to suggest (and I think it's very unlikely) that the bank's failure to return Ms J's money to her in a timely manner was deliberate or an attempt to avoid reimbursing her. Instead the failure to return her money appears to have simply been a mistake. It's important to say that any organisation will make mistakes. And, as much as we'd like to see all errors eliminated, this isn't a realistic prospect – occasional human error is unavoidable.

Neither can I award compensation for what *might* have happened had Ms J not complained to the bank. I can only consider the impact of what *did* happen.

This was undoubtedly a very stressful time at a difficult point in Ms J's life. And, while the fraudsters are the chief cause of the distress she's suffered, I agree that much of that could have been avoided had the bank returned the majority of her money more quickly.

However, given the relatively short period Ms J was without the money, I think the £200 NatWest has offered fairly reflects the distress caused – both for being without the money and the difficulties she had contacting the bank after the scam.

I've also taken into account the fact that NatWest reimbursed the remainder of her loss and responded promptly to her complaint. It could have maintained its earlier position that it wasn't responsible for reimbursing her and, had that happened, Ms J would have likely had to pursue the matter through our service and would have been without the remainder of the money for many months (and may not have had it returned at all). That's not to say the additional reimbursement can properly be considered compensation – it's something Ms J may have been able to recover through the complaints process or our service. But, it is further evidence that NatWest took steps to try and put things right.

Overall then, while NatWest should have returned Ms J's money earlier, it responded to her concerns promptly and by offering compensation, as well as providing a refund of the rest of her losses, I think it has acted fairly in the circumstances.

### **My final decision**

National Westminster Bank Plc has already made an offer to pay a further £100 in compensation to settle this complaint and I think this offer is fair in all of the circumstances.

So my decision is that National Westminster Bank Plc should pay Ms J £100.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms J to accept or reject my decision before 24 June 2022.

Rich Drury  
**Ombudsman**