

## **The complaint**

Mr W complains that his funds weren't dispensed from a Barclays Bank UK PLC. The funds were returned but he'd like compensation for the distress caused to him.

## **What happened**

Mr W has an account with Barclays.

In June 2023 Mr W visited a Barclays branch and attempted to withdraw £40.

Unfortunately his card was retained by the machine, and the £40 wasn't dispensed. Mr W also said his fingers were caught in the dispenser drawer.

Barclays refunded the £40 to Mr W's account. But Mr W complained to Barclays about the stress he'd experienced and the injury to his fingers.

Barclays reviewed his complaint. They confirmed the £40 had been refunded to Mr W, and also credited £25 to Mr W's account for the distressed caused to him.

Mr W didn't accept, and brought his complaint to our service.

On the complaint being brought to our service Barclays made an offer to increase Mr W's compensation by £50.

Our investigator reviewed the offer made by Barclays and thought it was fair. But Mr W didn't agree. Mr W explained he'd suffered injuries as a result of trapping his hand in the dispenser, had to be prescribed antibiotics and have an operation on his hand. He believes £18,000 is a fair offer.

As Mr W didn't agree, the case was passed to me to decide.

On picking up Mr W's case I asked Mr W whether he was available to discuss his case over the phone. But Mr W advised it's only possible to speak with him via letter. And he's unable to provide any supporting evidence to show the injuries he experienced. Instead he'd like the case to be concluded on the information we already have.

## **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.

I'm pleased to see that Barclays refunded Mr W's £40 soon after the funds weren't dispensed. So I don't need to consider this element.

My role is to consider the impact on Mr W from his funds failing to dispense. Mr W has argued that his fingers were trapped in the dispenser drawer, which caused him injury and distress. But, Mr W hasn't provided any evidence to support what he's said here. Even if he had, it's unlikely I'd be able to consider any injuries he suffered from the machine. I'm only

able to consider the impact of Mr W's funds failing to dispense, as this is regulated by the Payment Services Regulations 2017 under regulation 75 (1), but any injury Mr W experienced from the ATM machine is unlikely to be under our services jurisdiction.

However, I do think the situation likely caused Mr W some distress. Which I'm pleased to see Barclays have acknowledged by crediting Mr W £25 and offering a further £50. I understand this will disappoint Mr W but I'm satisfied £75 compensation is fair for the distress and inconvenience caused to him by the failure to receive his funds.

### **Putting things right**

For the reasons I've outlined above I think Barclays should pay Mr W an additional £50 compensation for the distress caused to him.

### **My final decision**

My final decision is I partially uphold Mr W's complaint and direct Barclays Bank PLC to:

- Pay Mr W £50 compensation

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr W to accept or reject my decision before 5 April 2024.

Jeff Burch  
**Ombudsman**