

The complaint

Mr S complains about the way National Westminster Bank Plc (NatWest) has dealt with his chargeback claims and an ATM dispute.

What happened

- Mr S complains NatWest hasn't settled chargeback claims he raised in December 2022 and June 2023.
- Mr S has also said that his son used an ATM machine to withdraw £130 but he didn't receive the funds.
- Mr S has said there have been multiple fraudulent transactions on his account – of which one of them is valued at £1,500. Despite telling NatWest about them, they haven't given him his money back.
- Our Investigator explained that a separate complaint would be setup for Mr S' complaint about the fraudulent transactions.
- Our Investigator also said that she couldn't ask NatWest to do anything more about the chargeback claims because he raised them too late.
- Our Investigator felt HSBC should refund Mr S the £130 for the ATM dispute.
- Mr S disagreed with our Investigator, so his complaint was passed to me for a final decision.
- My decision won't be commenting on Mr S' complaint point about fraud. That's because those issues are being investigated in a separate case at our service.
- My decision will only be about his chargeback claims and ATM dispute.

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.

Having considered everything, I'm upholding Mr S' complaint. But it's not in the way he hoped.

Chargeback claims

- In December 2022, Mr S contacted NatWest to make a chargeback claim for 16 transactions he said shouldn't have happened.
- The evidence I've seen shows the 16 transactions Mr S tried to claim for were made

between February 2020 and June 2022.

- The chargeback rules say that claims need to be made within 120 days of the disputed transaction.
- As Mr S made the claim in December 2022, more than 120 days had passed since the transactions had left his account. Because of this, I can't say that NatWest treated Mr S unfairly when they didn't refund the 16 transactions.
- Mr S made another chargeback claim in June 2023. These were for transactions that were paid to three different companies.
- The evidence we've been provided suggests these transactions left Mr S' account between June 2021 and July 2022.
- As I mentioned above, the chargeback rules say a claim must be made within 120 days of the disputed transactions.
- More than 120 days had passed when Mr S made his chargeback claim in June 2023. So, I can't say NatWest treated him unfairly when they didn't refund the transactions from the three companies Mr S mentioned in June 2023.

ATM Dispute

- Mr S says his son went to an ATM machine on his behalf. He tried to withdraw £130, but didn't receive the funds from the ATM.
- When a consumer tells a bank they didn't receive funds from an ATM machine, we would expect a business to investigate what happened.
- I've not seen any evidence from NatWest that shows what investigations were carried out or the outcome of those investigations.
- I have seen Mr S' statements that show £130 was debited from his account.
- I have no reason to doubt Mr S is telling truth. So, I think his son didn't receive the £130 when he tried to use the ATM.
- NatWest should refund the £130 to Mr S. That's because they haven't provided me with anything to suggest Mr S received the funds from the ATM.

Level of customer service provided by NatWest

- When investigating Mr S' complaints, NatWest admitted they hadn't always provided him with the best customer service.
- To put things right, NatWest has paid Mr S £300 compensation.
- I agree there have been occasions where NatWest could have handled things better. But I think the £300 award is fair for the distress and inconvenience Mr S experienced.
- Mr S has been open with NatWest and our service. He's told us about conditions he

has that impact how he communicates and retains information.

- As NatWest is aware of Mr S' conditions, they may want to consider what additional support they might be able to provide Mr S.
- This is important so that he can manage his account effectively and hopefully experience less inconvenience when trying to communicate with NatWest.

For the reasons above, I'm upholding Mr S' complaint.

Putting things right

- I've not made a finding on Mr S' fraud claims because they are being investigated in a separate case.
- I'm not asking NatWest to settle Mr S' chargeback claims because they were raised more than 120 days after the disputed transactions left his account.
- I am asking NatWest to refund the £130 for the ATM dispute.

My final decision

My final decision is that I'm upholding Mr S' complaint about National Westminster Bank Plc.

To put things right, National Westminster Bank Plc should refund £130 for Mr S' ATM dispute.

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

Sarrah Turay
Ombudsman