

The complaint

Mr M complains that Barclays Bank UK PLC failed to properly deal with a claim of fraud.

What happened

Mr M raised an issue with Barclays concerning a payment made from another merchant who I'll refer to as Z.

This was a loan payment made to Mr M's Barclays account from an arrangement between Mr M and Z. Z had set up repayment of the loan through direct debits from Mr M's Barclay's account. Mr M raised concerns about the arrangement and wanted Barclays to look into the matter relating to Z's involvement.

Barclays raised a complaint on Mr M's behalf but advised him that as the issue was related to Mr M's agreement with Z, he should raise the problem with them.

Mr M disagreed with how Barclays had handled his complaint and wanted them to continue to investigate the matter as fraud, including an arrangement Mr M had entered into with a debt management organisation I'll refer to as P. Mr M then brought his complaint to the Financial Ombudsman Service for an independent review.

Mr M's complaint was looked into by one of our investigators who asked Mr M for information about the circumstances of his complaint. Mr M explained his issue with the loan payment from Z and his belief that there was a fraudulent element to it, including a further allegation of fraudulent conduct concerning P.

Mr M also explained that he experienced various health conditions, and his personal circumstances were making a difficult situation even more complex.

Barclays were asked about the complaint and explained they were in no position to do anything about the payment Mr M had received from Z or his arrangement with P. Barclays were able to say that Mr M received a payment from Z and direct debits had been set up to repay the loan. There was also an arrangement with P to manage a debt management plan on Mr M's behalf.

After reviewing the evidence, the investigator concluded that Barclays weren't in a position to do anything about the payment from Z, or the arrangement to repay the loan. It was recommended to Mr M that he raise his complaints directly with Z and P.

Mr M disagreed and believed that both Z and P were "clones" of the legitimate companies and wanted a further review of his complaint. Mr M didn't think that it was reasonable that he'd been directed towards Z (by Barclays), when he believed that they (Z) were a "criminal organisation".

Mr M wanted a further review of his complaint by an Ombudsman, which has now been passed to me for a 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.

I understand the strength of feeling Mr M has about the situation and that he's found himself in difficult circumstances, including the multiple health issues he's dealing with.

I've also read the various submissions he's made concerning the circumstances. Unfortunately, I'm going to have to disappoint him concerning this complaint.

The issue raised by Mr M concerns the activities of other organisations (Z and P). But here, he's raised the problem with Barclays, who aren't in a position to do anything about either of the other two organisations.

Mr M was given advice to contact Z by Barclays and he thinks this was wrong because Mr M is of the opinion that Z and P are "clones" of the legitimate versions (and thus criminal organisations). Barclays weren't in a position to review whether Z and P are genuine or not and I consider their advice to contact them was both fair and reasonable in the context of the issues raised with them by Mr M.

I can only look at the activities of Barclays in this matter and as they dealt with the operation of the account in the manner I'd expect of them by taking in the payment(s) from Z and setting up the appropriate repayments (direct debits or debt management arrangements), there's nothing further for me to consider.

I understand Mr M has started to raise a complaint with our service concerning Z, and I'd encourage him to complete that process to enable an independent investigation of his concerns to be undertaken.

Overall, there was little Barclays could do about Mr M's concerns. I realise he's frustrated by the situation, but I hope he can appreciate that the appropriate course of action is to pursue his complaints against both Z and P. I'm sure it will become clear if the payments he received were from the genuine Z (and the arrangement with P) once his complaint is pursued with them.

My final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 16 February 2024.

David Perry
Ombudsman