

The complaint

Miss G complains that she was robbed outside of Santander UK Plc's branch, but the bank wouldn't investigate her complaint that its staff may have been involved.

What happened

In March 2023 Miss G went to her local Santander branch to withdraw £2,600 to pay some workmen. She said the cashier told her that her identification would need to be verified and she had to wait for another cashier to become available. Miss G was then asked to put her card into the reader and provide her driving license. The cashier made some checks, which Miss G thought took too long, but confirmed everything was ok and counted out the money.

Miss G said the cashier was speaking very loudly and she asked her to lower her voice so that other people wouldn't hear. When handing over the cash Miss G said the cashier told her "You best place this in your bag", and then "You wouldn't want it to be stolen would you", which Miss G found odd and unnerving. Miss G said she walked back to her car with the cash in her bag and was approach by a man saying she had dropped money - she got in the car, and he knocked of the window until she opened the door at which point he stole her bag.

Miss G called the police and gave a statement. She went back to the bank but said the cashier was very rude and insinuated she had made the whole thing up, and refused her request to speak to the manager saying, "if the robbery really happened the police will be in touch". Miss G complained to Santander, but this only led to an email from Santander on 14 March to say it had resolved the complaint and it put £75 in her account. Miss G contacted Santander again as she was disgusted her complaint hadn't been investigated.

Miss G said the police have CCTV footage from the branch showing a man watching her and following her outside. She said losing the cash caused her financial problems, and trauma. She said it had taken her a long to complain as it has been upsetting to relive the incident. Miss G wants Santander to refund the money that was lost as she considers the theft to be, 'clear set up by the cashier, who would they know I had the money if they weren't tipped off?'

Miss G referred her complaint to our service. Our investigator didn't recommend that it be upheld. He said he had requested a police report, but this hadn't been received. He thought the bank's staff had acted as would normally be expected when a customer makes a large cash withdrawal, such as verbally counting out the money so the customer can verify the correct amount. He said this may mean it's possible for a third-party to hear this information.

The investigator said that no CCTV footage was provided, but even if it were, he didn't think it would show the cashier 'tipping anyone off' or being part of the theft. And he couldn't say Santander should bear responsibility for Miss G's loss. He said Santander didn't have any notes about her return to the branch, but he had no reason to doubt her account. He would expect staff to be sympathetic and note her account and refer her to the manager. He said Santander's offer of £75 compensation and an apology for Miss G's treatment in branch after she reported the incident was fair.

Miss G disagreed with the investigator and requested an ombudsman review her complaint.

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.

Miss G said that she believed the cashier that facilitated the transaction in branch, was the person that tipped off the people who stole her bag. And she highlighted parts of the transaction process that she thought were suspicious. Miss G has said that Santander unjustifiably refused to refund her the £2,600 cash.

I sympathise with Miss G for the traumatic events that have occurred. I have no doubt that what happened would have been deeply impactful on both a personal and financial level.

I can see that Santander has investigated Miss G's complaint about what happened to her and has spoken to its staff and checked CCTV footage. As part of its final response, Santander offered Miss G £75 to say sorry for how the staff in branch made her feel when she went back and reported the theft to them.

Miss G has said CCTV footage would support her version of what happened when the cash was stolen, however, it wouldn't show the actual theft as this was away from the branch building. Miss G said she would provide a police report about the incident, but hasn't done so. I think it's unlikely that a report will be able to shed any light on what happened, but if Miss G subsequently receives a police report that challenges this view she can send it to Santander for comment in the first instance.

I've considered Miss G's remarks about the cashiers and the way the transaction was handled and their comments, but I don't think her interaction with Santander's staff was different from what we would have expected in the circumstances. Having thought about what happened, I'm not persuaded Miss G wouldn't have been followed by an opportunist thief in any event. This could have happened even if the cash was handed quietly and without any security comments from the cashier.

Crucially though, the robbery took place away outside of Santander's branch – after its role in the payment transaction had been completed. While what happened to Miss G was traumatic, I don't consider a fair way to resolve this complaint would be for Santander to be responsible for the decisions and actions of an independent third party once she had left its premises. The person that is ultimately responsible for the harm is the thief. So, I don't think an equitable remedy would be for Santander to reimburse the funds.

The investigator said he would have expected Santander's branch staff to take a record of what Miss G said and alleged about the incident, particularly when considering the seriousness of what happened. And that referring Miss G to the branch manager would have been reasonable. I agree with these points and that Santander's offer of £75 compensation and an apology for Miss G's treatment was fair. If Miss G hasn't received the compensation she can call Santander to request it.

I realise this won't be the outcome Miss G was hoping for, but it follows from my findings that I won't be upholding this complaint or instructing Santander to take any further action. I hope Miss G will understand, given all that I've explained, why I've made the final decision I have. This now brings to an end what we can do to help in this dispute.

My final decision

For the reasons I have given it is my final decision that the complaint is not upheld.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss G to accept or reject my decision before 26 February 2024.

Andrew Fraser
Ombudsman