

## **The complaint**

Mr K complains TSB Bank PLC (“TSB”) refuses to refund him for a transaction on his account he says he didn’t make. Mr K also complains he wasn’t given the account opening incentive, and he wants compensation for the time and distress in making his fraud complaint.

## **What happened**

Mr K says someone stole his card and PIN from his home and then made a transaction on his account on 16 February 2023 for £14.86. Mr K says he is also unhappy that his account was closed by TSB, and he wasn’t awarded the incentive payment for opening a new account. Mr K wants compensation for the time, distress and inconvenience in making his fraud complaint to TSB.

TSB didn’t uphold Mr K’s fraud complaint as it says there were inconsistencies in his statement. And based on the evidence it has, it thinks the transactions were authorised. However, TSB have offered to refund the disputed transaction in this instance as the claim is of low value.

TSB has provided evidence that Mr K didn’t meet the criteria for the incentive scheme and so he is not due the incentive reward.

Our investigator considered the complaint but decided not to uphold it. Mr K didn’t agree so the complaint has 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.

TSB has offered to refund Mr K the full amount of the disputed transaction, so I have not considered whether the transaction was authorised or not.

In relation to Mr K’s complaint about not receiving the incentive scheme, I have considered the evidence TSB has supplied showing the incentive criteria. This information was included in the terms and conditions of the account and states that to qualify the customer must complete the account switch, make one debit card payment, log into the TSB app and set up two direct debits on the account. From the evidence I’ve seen it seems Mr K has not met this criterion. I’ve not seen any evidence that Mr K has set up any direct debits and Mr K disputes the only card payment made on his account. It also seems that the switch over to the TSB account was never fully completed. So, I don’t think Mr K has met the eligibility criteria for the incentive reward and so I don’t think TSB need to honour this.

Having considered everything, I don’t think Mr K is due any compensation. I say this because I don’t think there was anything extra TSB should’ve done to protect Mr K’s account. TSB blocked the account and any further transactions coming out as soon as Mr K complained about the fraud on his account. There was also nothing about the disputed

transaction which should reasonably have raised any red flags or been blocked by TSB. As he was a new customer TSB had no way to know if such transaction should be considered unusual activity. I've also considered the issues Mr K has raised in regard to bringing his fraud complaint. But I think it is reasonable for some time and effort to spent in bringing any complaint. And from the evidence I've seen Mr K has not needed to do anything unreasonable in this process. The complaint was responded to in due time and TSB have considered Mr K's complaint in full.

TSB offered to refund Mr K for the disputed transaction and for all the reasons outlined above, I don't think anything further is due.

### **My final decision**

I am not upholding the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 11 April 2024.

Sienna Mahboobani  
**Ombudsman**