

## **The complaint**

Mrs S complains Northern Bank Limited, trading as Danske Bank, (“Danske Bank”) refuses to refund her for an ATM dispute in which she says the ATM didn’t dispense the cash as requested

## **What happened**

Mrs S says she visited an ATM on 21 October 2023 to withdraw £100 in cash. She says the machine dispensed some cash, but she was only able to take two £20 notes before the rest was snapped back into the machine. So, Mrs S says she would like the remaining £60 refunded.

Danske Bank refused Mrs S’s claim on the basis that it says the journal roll record from the ATM suggests the transaction was successful and the ATM balanced, showing no surplus money on 31 October 2023.

Our investigator considered this complaint and decided to uphold it in Mrs S’s favour. Danske Bank didn’t agree so the complaint has been passed to me for a final 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.

In order to hold Mrs S liable for this withdrawal, it is fair and reasonable that Danske Bank show it was entitled to debit it from her account. This usually involves evidence such as the ATM’s Journal Roll, records from the purge bin and balancing information, to show whether the withdrawal went through and was dispensed properly. I’d also expect some investigation and confirmation from Danske Bank that there is no evidence the machine had been tampered with or that it has received other similar complaints from other users around the time.

Danske Bank has provided the ATM’s Journal Roll which shows the transaction in question and other transactions before and after. I’ve seen that this evidence shows Mrs S requested £100, and the denominations this was dispensed in. It also shows transactions for the full day which Danske Bank deemed as successful. Danske Bank has said that the ATM balanced on 31 October 2023, ten days after the date of Mrs S’s transaction. So it thinks Mrs S must have received the money.

However, in my opinion, this is not sufficient to show Mrs S received the £100 she tried to withdraw. Danske Bank has not provided any evidence to confirm the machine had not been tampered with in any way, or that there weren’t any technical faults in the computing of the ATM. Danske Bank says the Journal Roll provided shows the full transaction history and there is no evidence of any errors. But this is evidence of the ATM’s computing history, and it is not conclusive evidence that something else didn’t go wrong here, even if the ATM computer didn’t record it. There is a possibility there could have been a fault with the machine, or that the money was correctly dispensed but then retained by the machine.

Danske Bank has provided the evidence it received from the ATM operator which shows the ATM balanced on 31 October 2023, but this also shows there were notes in the purge bin. These are notes that the ATM has retained, and this could be for a number of reasons, such as the customer cancelling the transaction part way through or from routine tests. In this case the ATM retained seven £10 notes and four £20 notes. But we have not been provided any evidence to show in what circumstances this money was retained. So, I think it's possible some of this money was retained from Mrs S's transaction.

Having reviewed Mrs S's testimony in detail, I find it to be consistent and persuasive. Mrs S has provided a detailed description of the events surrounding this withdrawal and I find her behaviour after she says the cash was not dispensed to be in-line with what a reasonable person would do had they not received money requested from an ATM.

Mrs S told us that she was able to grab hold of £40 from the machine out of the £100 requested. So, it's not likely she walked away before the money was dispensed or that someone else was able to take the cash without her noticing. And I think if Mrs S was trying to defraud the bank, she would've made a claim for the full £100. Overall, I have no reason to doubt Mrs S's testimony.

I do appreciate that Danske Bank has evidence of the ATM Journal roll showing Mrs S's transaction being successful, as well as transactions before and after being successful but this does not on its own, rule out other plausible possibilities of the ATM being tampered with, or her cash being retained in the purge bin. So overall, I am not persuaded that Mrs S received the full £100 requested from the ATM.

### **Putting things right**

Northern Bank Limited, trading as Danske Bank, should refund Mrs S the £60 disputed and add 8% simple interest from the date of the ATM dispute till the date the refund is paid.

### **My final decision**

I am upholding this complaint. Northern Bank Limited, trading as Danske Bank should put things right as outlined above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs S to accept or reject my decision before 26 July 2024.

Sienna Mahboobani  
**Ombudsman**