

The complaint

Mr S complains Barclays Bank UK PLC (“Barclays”) refuses to refund him £250 that he requested from an ATM and was debited from his account, but the cash was not dispensed.

What happened

Mr S says he visited an ATM on 12 December 2023 and tried to take out £250. However, the cash was not dispensed. He tried again and the transaction was declined. Mr S complained to Barclays and asked them to refund this money as it was debited from his account, but he never received the funds.

Barclays says from the information he has received from the ATM owner it believes the cash was properly dispensed, so it will not be refunding it.

Our investigator considered this complaint but ultimately wasn't persuaded that Mr S had received the funds as requested. Barclays 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.

The Payment Service Regulations 2017 (PSR)'s, Regulation 75, say that where a payment service user (Mr S) claims a payment transaction (the cash withdrawal) wasn't executed correctly, it is for the payment service provider (Barclays) to show that it was correctly executed.

Barclays has provided evidence of the Journal Roll for the ATM in questions which shows the transactions Mr S is referring to. This shows a record of the card being read, the PIN being entered correctly, the cash being requested, and the denominations the machine intended to dispense. But this is not persuasive enough evidence that Mr S received the cash. I say this because this evidence doesn't eradicate the possibility of something else going wrong in this transaction, or an error with the machine's records itself.

Barclays have also provided evidence that the ATM balanced on 14 December 2023 showing no surplus cash in the ATM. While this supports what was shown on the Journal Roll, Barclays has not provided evidence of the purge bin from the ATM or any evidence that the machine had not been tampered with in any way. I've also not seen that Barclays investigated whether there were any other ATM complaints about this machine prior to or post Mr S's transaction. And I would've expected these questions to be asked as well.

Mr S's testimony is consistent and precise. He tells us that he took out £250 from another machine prior to this transaction, and then tried to take out a further £250 which was never received. He explains how he tried again, and the machine said he had reached his daily withdrawal limited. And the Journal Roll evidence corroborates what he has said. Looking at his statement history I've seen that he often makes ATM withdrawals, but this time he says

the money wasn't received. I've seen no evidence to persuade me he is not being truthful about what happened.

Overall, the law states that Barclays need to provide enough evidence to persuade me that it's more likely than not that Mr S received the cash he requested. I am not persuaded in this case, so I am upholding the complaint in favour of Mr S.

Putting things right

Barclays Bank UK PLC should refund Mr S the £250 he disputes along with 8% simple interest from the date of the attempted withdrawal to the date it is paid back to him.

My final decision

For the reasons outlined above I am upholding this complaint and Barclays Bank UK PLC should put things right as outlined above.

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

Sienna Mahboobani
Ombudsman