

## **The complaint**

Mrs A complains that Metro Bank PLC won't refund all of the money she lost to a safe account scam.

The details of this complaint are well known to both parties, so I won't repeat everything again here. Instead, I will focus on giving the reasons for my 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.

Having done so, I agree with the conclusions reached by the Investigator for the following reasons.

- It isn't in dispute that Mrs A has fallen victim to a scam here, nor that she authorised the disputed payments she made from her Metro account. And the starting position is that banks ought to follow the instructions given by their customers in order for legitimate payments to be made as instructed.
- However, I've considered whether Metro should have done more to prevent Mrs A from falling victim to the scam, as there are some situations in which a bank should reasonably have had a closer look at the circumstances surrounding a particular transfer. For example, if it was particularly out of character.
- I appreciate that Mrs A made payments totalling nearly £10,000 in one day, which is a significant amount of money. But there were six payments in total, of between £1,000 and £2,000 each, four of which were to Mrs A's own accounts with other banks. And it was not unusual for Mrs A to make regular payments of a similar size to her other accounts. The remaining two payments were to an online retailer, and again it was not unusual for Mrs A to make that kind of payment. I can also see that Mrs A did, on occasion, make multiple large payments on the same day. So the overfall pattern of spending was, in my mind, not unusual enough to have flagged to Metro that something untoward might be going on.
- I therefore don't think there was anything that ought reasonably to have triggered Metro's fraud monitoring systems, or that would have indicated Mrs A was in the process of being scammed. So, I don't consider there was any obligation on Metro to have intervened in the payments being made.
- I note that Metro made the decision to refund the last two payments made – the card payments to the online retailer – but given that I don't think Metro should fairly and reasonably have been expected to intervene in the payments Mrs A was making I won't be asking it to refund any more of Mrs A's loss.
- I've also thought about whether Metro could have done more to recover the money after Mrs A reported the fraud. But given that the remaining, unrefunded, amounts, were payments to Mrs A's own accounts with other banks I don't think Metro could have done anything to recover those funds.

**My final decision**

I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs A to accept or reject my decision before 11 January 2024.

Sophie Mitchell  
**Ombudsman**