

## **The complaint**

Mrs A complains Lloyds Bank Plc failed to follow proper practices when handling a cash withdrawal for her. She believes its actions led to her and her daughter being the target of a robbery.

## **What happened**

Mrs A visited a branch in February 2023 to withdraw £5,000 in cash. Counter staff said they didn't have enough money at the front desk but said if she could wait, this could be retrieved from the back office. Mrs A took a seat in an area adjacent to the queue.

Mrs A says that a member of staff returned, asking Mrs A if she wanted the funds in £10 or £20 notes. And later opened the envelope, before handing the money over.

Mrs A left the branch, driving to the shops with her daughter. She exited the car but her daughter stayed, with Mrs A's handbag on the front passenger seat containing the envelope.

Mrs A says a man approached her daughter, telling her that there had been a bump to the car, insisting she come outside to inspect the damage. While this was going on, she says that another person, the man's 'accomplice' took the envelope, leaving her daughter shaken and traumatised.

Mrs A believed Lloyds had been indiscreet when handing her the cash away from the counter. And this had directly led to them being the target of the robbery. Because staff had referred to the money, opened the envelope in full view of other customers in the banking hall, who could see and hear everything. She felt Lloyds should compensate her.

Lloyds investigated Mrs A's concerns, but it didn't uphold the complaint. It explained that both cashier desks and seating were public areas in the banking hall. So, it couldn't be sure Mrs A wouldn't have been targeted if she'd been handed the money at the counter instead. It said that it had initially offered Mrs A an alternative to completing the transaction, but she'd declined. Ultimately, it didn't believe it was responsible for what happened once Mrs A left the branch.

Mrs A referred her complaint to us and one of our investigators looked into what had happened. But they didn't think Lloyds needed to do anymore. In summary, they didn't think there was a duty to handover the funds at the counter as opposed to another area of the branch. Or that these actions had directly led to the theft, as opposed to some other intervening event. They also referenced Lloyds had offered Mrs A another means of getting her money, which she'd declined. It had explained that the seating area was close enough to the counter and that CCTV footage was no longer available.

Mrs A didn't agree that the consequences weren't reasonably foreseeable. So, she asked for an ombudsman to review her case.

In doing so, she said, Lloyds did not advise her against withdrawing the cash, nor was she told of other ways to complete the transaction. It also did not inform her that it was going to

hand the money away from the counter area, in full view of a busy bank and a waiting queue. She highlighted that she did not consent to her transaction being dealt with in such a way. She also disputed what Lloyds had said about the seating area being close to the counter and asked for photographs to show where it actually was. So that she could illustrate how things were handled on the day. And she was concerned CCTV footage was no longer available.

### **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.

Mrs A has in her submissions made a number of detailed points, which I have read and considered. I hope the fact that I do not respond in a similar manner here will not be taken as a discourtesy; as an informal dispute resolution service, we are tasked with reaching a fair and reasonable conclusion with the minimum of formality. In doing so, it is not necessary for me to respond to every point made, but to concentrate on the crux of the issue.

It's only natural to sympathise with Mrs A and her daughter here. I have no doubt that what happened would have been deeply impactful on both a personal and financial level.

She has requested photographs of the branch to help illustrate what happened in the banking hall and questioned why CCTV isn't available, but I don't consider these necessary as I'm prepared to accept the envelope was handed where Mrs A says it was.

I've considered Mrs A's comments about the counter and I've weighed everything up. But having done so, I'm not persuaded Mrs A wouldn't have been followed by an opportunist thief but for where the cash was handed over. This could have happened even if the cash was handed over at the counter. Crucially though, the robbery took place away from the Lloyds branch – after its role in the payment transaction had completed. While what happened to Mrs A and her daughter was reprehensible, I don't consider a fair way to resolve this complaint would be for Lloyds to be responsible for the decisions and actions of an independent third party once she had left its premises and driven away. The party that's ultimately responsible for the harm is the thief. So, I don't think an equitable remedy would be for Lloyds to reimburse the funds.

I realise this won't be the outcome Mrs A was hoping for, but it follows that I won't be upholding this complaint or instructing Lloyds to take any further action. I hope Mrs A 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**

My final decision is that I don't 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 7 February 2024.

Sarita Taylor  
**Ombudsman**