

## **The complaint**

Miss G complains that Metro Bank PLC allowed a scammer to open and operate an account which she believes caused her a loss.

Miss G has used a representative to bring her complaint. But, for ease of reading, I'll mostly just refer to Miss G herself.

## **What happened**

The detailed background to this complaint is well known to both parties. So, I'll only provide a brief overview of some of the key events here. In 2022 Miss G was sadly the victim of a 'safe account' scam. She was called by someone impersonating her bank (Metro Bank). They appeared to be calling from a genuine number associated with Metro Bank which gave Miss G confidence she was speaking to a genuine agent.

She was told her account was at risk from hackers and was ultimately persuaded to move her money. Miss G instructed payments from her own Metro Bank account to her own account with another business 'R'. And from there, still at the direction of the scammer she transferred it into another Metro Bank account. She believed this was necessary to keep her money safe. On 4 October 2022 Miss G initially transferred £10 and then followed this with £18,300 both to the same Metro Bank account. When Miss G realised she'd been the victim of a scam, she reported this to the relevant parties including the police.

Ultimately both Metro Bank and R declined to offer any redress and Miss G complained. Both complaints were considered by one of our Investigators. He didn't recommend that the complaint about Metro Bank should be upheld. Miss G disagrees and has asked for an Ombudsman to review her complaint.

## **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 our Investigator and for essentially the same reasons. I know this will be disappointing for Miss G, so I'll explain why. I'm satisfied that Metro Bank conducted appropriate electronic checks when opening the account. I've also seen evidence of the valid identity documents they took when doing so. I don't think they reasonably could have known at that point, that the account would later go on to be used in connection with a fraud or scam. So, I don't think Metro Bank failed when opening the recipient account.

I've also reviewed the activity on the recipient account both before and soon after the arrival of Miss G's money. But there was nothing so unusual or suspicious in the account activity such that I think Metro Bank ought to have done more or reasonably could have prevented Miss G's loss. When her large payment credited the account it was promptly paid away. But this activity wasn't unusual for this particular account, it was a continuation of the way in

which it was used. So I can't say this would have stood out as unusual or suspicious to Metro Bank at the time.

I appreciate Miss G thinks the prior instances of money arriving and being spent from the account might have been other victims of the same or similar scams. But I've confirmed with Metro Bank that the previous payments which established this pattern of account usage all had the named accountholder as the intended beneficiary for the incoming payments, and more importantly that they've never received allegations of a fraud or scam in relation to those payments. So based on this, I can't conclude those payments were anything other than authorised use of the account.

I'm also satisfied that by the time Metro Bank were on notice (either from Miss G or R) of the problem with the payments that the funds had all already been spent / moved on from the account. So, I don't think Metro Bank could have done more regarding recovery from the recipient account. I'm sorry to hear Miss G has been the victim of a scam. But as I don't think Metro Bank failed (in the context of this complaint) in its handling of matters in such a way that it caused or contributed to Miss G's loss, I can't fairly require them to do more to resolve this complaint.

### **My final decision**

For the reasons outlined above, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss G to accept or reject my decision before 25 December 2023.

Richard Annandale  
**Ombudsman**