

The complaint

Mr H, with the help of a representative, complains National Westminster Bank Plc didn't do enough when he fell victim to a job scam.

What happened

Mr H has a current account with NatWest.

Mr H says he spoke to an individual on social media who claimed to work for a company who could offer him a job earning commission. Mr H says the job involved buying cryptocurrency and sending it to a deposit address so that goods could be bought – and that once he'd completed all the tasks he'd been sent he'd be able to withdraw his cryptocurrency and would earn a commission. Mr H says he sent several small payments and was then asked to make larger payments and that he realised he'd been scammed when he was told he'd have to make an even larger payment to withdraw his cryptocurrency and earn his commission despite completing all of his tasks. He says he was unemployed and vulnerable at the time.

Mr H's representative contacted NatWest on 15 March 2023 to say that it hadn't done enough to prevent Mr H from falling victim to a job scam and that he had made two payments totalling £6,711 that he wouldn't otherwise have made as a result. NatWest says that this was the first time it had been made aware that Mr H had been scammed. He'd made both payments two days earlier.

NatWest looked into Mr H's claim and said that it had called him about the first payment he'd made – for £5,000 – and that he said he wanted to go ahead with the payment despite having had extensive scam information read out to him over the phone. NatWest said that he'd confirmed the other payment – for £1,711 – was genuine. In the circumstances, NatWest said it didn't agree that it had missed an opportunity to prevent Mr H from falling victim to a job scam. Mr H's representatives ultimately complained to us.

One of our investigators looked into Mr H's complaint and said that they didn't think NatWest had acted unfairly as there was nothing to suggest that Mr H was at risk of fraud given the questions it asked, and the answers he gave, when it checked the first payment he'd made. And our investigator didn't think the second payment was sufficiently unusual to warrant intervention. So, they didn't uphold Mr H's complaint. Mr H's representative disagreed, saying that NatWest had missed a number of red flags and that it could easily have uncovered the scam if it had asked probing questions. They asked for Mr H's complaint to be referred to an ombudsman for a final decision. His complaint was, as a result, passed to me.

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.

NatWest pointed out, when Mr H's representative complained, that there were a number of factual inaccuracies in their letter of complaint. I can see why NatWest said this. I'd add that

the responses we've had from Mr H's representative haven't been as detailed or as thorough as they could have been. They said, for example, that Mr H had completed a large number of tasks – involving small payments – before he was asked for much larger payments but when we asked for the details – including when and where these payments were made from – we didn't get corresponding information. In this case, I don't think that ultimately matters as there are only two payments that Mr H's representative says should be refunded and, for the reasons I'm about to give, I agree with our investigator that NatWest doesn't need to do so.

I can see that Mr H wanted to make a £5,000 payment on 13 March 2023. He called NatWest to say that he'd tried to make the payment using online banking – he understood £5,000 was the daily limit – but had been asked to provide biometrics which he could only do using NatWest's mobile app which had a £1,000 limit. So, he was wondering if he could make the payment over the phone. I've listened to that call. The agent Mr H spoke to said that would be fine and explained that she'd need to do some checks first. The first check she did was to make sure the payee's name matched the account details. That check couldn't be completed – which happens sometimes – but when asked if he was happy to continue Mr H said that he was as he'd used the account details before, so he knew it was legitimate. The agent then went on to ask Mr H what the payment was for, and he told her that he was "buying computer parts". He didn't tell the agent that he was buying cryptocurrency – his representative has told us that the scammer told him to lie about this. The agent gave Mr H appropriate "buying goods" scam warnings based on the information Mr H had provided. Having done so, Mr H confirmed that he wanted the payment to go ahead.

I agree that there were no red flags that the agent should have picked up on and that should have prompted them to ask other questions, including questions that could have uncovered that Mr H was falling victim to a job scam. I also agree that the £1,711 payment Mr H made later on that day wasn't sufficiently unusual to warrant additional intervention. In short, I agree that NatWest didn't miss an opportunity here to prevent a loss to Mr H.

My final decision

My final decision is that I'm not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 2 February 2024.

Nicolas Atkinson
Ombudsman