

The complaint

Mr O complains about the way in which Barclays Bank UK PLC dealt with him when he sought to raise a dispute over transactions on his current account.

What happened

Mr O contacted Barclays because he wanted to raise a dispute over payments made to a third party betting website "A". He became unhappy with the way in which Barclays' representative was dealing with his request. He considered the callhandler, and the manager to whom his concerns were escalated, were rude and unwilling to assist with the dispute.

The bank raised a chargeback claim on Mr O's behalf, but A defended the claim. Barclays wrote to Mr O seeking further information to support his claim, but this wasn't forthcoming and the bank closed the dispute. Mr O feels the bank acted unfairly in doing so, and failed to ask appropriate questions of A when dealing with the claim. He adds he explained to Barclays about his medical condition and the bank agreed to give him more time to respond.

Our investigator wasn't persuaded that Barclays had dealt with Mr O's claim unfairly. It had raised the claim for Mr O, and the timescales for him to respond were set by the card scheme rather than by the bank. The investigator was able to listen to some – though not all – of the calls between Mr O and the bank, and didn't think they showed the bank's staff had been rude or acted inappropriately. The investigator noted the missing call, which had been between Mr O and a Barclays manager, was made on a mobile phone and wasn't recorded. Mr O didn't accept the investigator's findings and asked for this review.

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.

I'm conscious of the health concerns Mr O has mentioned both to the bank and in his initial contact with us. I appreciate the difficulties these cause him, and it's not my intention to upset him further. However, having considered all that's been said and provided, I'm not going to uphold his complaint. I'll explain why.

Like our investigator, I've heard nothing in the calls I've been able to listen to between Barclays and Mr O to support the complaint that the bank's representatives were rude to him, or that they dealt with his call inappropriately.

In particular, the representative with whom Mr O initially spoke to raise his dispute was both polite and patient in trying to explain to Mr O why she needed him to provide further information to progress a chargeback claim. I accept Mr O might have interpreted things differently, but I find no reason to criticise the way in which the bank dealt with Mr O's calls.

Based on some of Mr O's comments, it might be helpful if I explain a little more about how the chargeback process works. In order for a claim to be raised, it is not enough for a cardholder to say they are in dispute with a merchant. The bank needs to ensure that the

reason for the dispute is one covered under the card scheme rules. Once this is established, the bank's role is to submit the information it has received from the cardholder and receive the response (if any) from the merchant's bank. It is not part of Barclays' role to ask questions of the merchant, as Mr O appears to believe.

As far as I can see, Barclays did all I'd expect it to do in relation to Mr O's dispute with A. Mr O wasn't disputing participating in the transactions. He confirmed he did so in his initial telephone call. So Barclays asked him to provide further information – beyond merely saying he was in dispute with A – to see if his claim met one or more of the chargeback reasons in the card scheme rules.

Once Barclays had sufficient information to raise the claim, it did so. It promptly informed Mr O when it received A's response. And it asked him for any further information in support of his claim, setting out the timescale for this to be provided. I understand Mr O's ability to respond within the timescale given was affected by his health situation. Barclays gave Mr O as much time as it was able under the card scheme rules. I don't find it acted incorrectly or unfairly in the way it handled Mr O's chargeback claim.

I'm conscious Mr O has questioned the bank's use of a mobile phone to call him, which he believes may be in breach of banking regulation. The use of mobile phones to call consumers isn't prohibited by general banking or data protection regulation. But there are some aspects of smartphone or other mobile device use that can make them subject to security compromise. So I can see why it's important to Mr O to feel secure in this respect. I haven't seen anything that leads me to think the fact Mr O was called from a mobile device put his personal data at risk of compromise. I hope this at least gives him some reassurance.

Although the call content doesn't directly impact on the outcome of Mr O's chargeback claim, the fact it was made using a mobile device does mean that I've been unable to listen to that particular call between Mr O and the Barclays manager. I can understand this might be frustrating to Mr O, but in the absence of a recording or transcript, I'm not persuaded it would be reasonable to conclude that he was treated unfairly in or as a result of that call.

My final decision

For the reasons I've set out here, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr O to accept or reject my decision before 13 December 2023.

Niall Taylor
Ombudsman