

The complaint

Mr B complains Barclays Bank UK PLC wasted his time and damaged his mental health when he asked for help getting money back. He wants compensation for the time he'll never get back, the impact this had on his mental health and the impact on his company.

What happened

Mr B has a current account with Barclays.

Mr B contacted Barclays in July and August 2023 asking for help getting back payments he said he'd made as a result of an investment scam, help getting back payments he'd made in 2020 and 2021 and help with money that he said was missing.

Barclays wrote to Mr B to say that it needed more information in order to look into the payments he said he'd made as a result of an investment scam, that it was too late to chargeback payments he'd been made in 2020 and 2021 and that he needed to speak to HMRC about the money that he said was missing.

Mr B was unhappy with Barclays' response and ultimately complained to us. He said that he'd spent years trying to get money back that had been taken from him, and that this had had a huge impact on his mental health and his company's profits. He sent us several complaint forms claiming different amounts of compensation – ranging up to £3,150,000.

One of our investigators started looking into Mr B's complaint and explained that we couldn't award him more than £375,000 in relation to this complaint. Mr B said that he'd accept £375,000 in compensation and shortly after doing so began asking where his compensation was. Our investigator explained that they needed to look into Mr B's complaint first as they couldn't recommend compensation if Barclays hadn't done anything wrong. Mr B carried on asking where his compensation was.

Our investigator looked into Mr B's complaint and said that Barclays hadn't done anything wrong. In the circumstances, they said that they wouldn't be recommending that Barclays pay Mr B any compensation. Our investigator subsequently closed Mr B's complaint.

A couple of months later Mr B complained to us about the same issues. Instead of opening a new complaint, our investigator re-opened Mr B's existing complaint as it's clear he was still unhappy and referred his complaint 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.

In July and August 2023, Mr B told Barclays that he needed it:

- 1) to recover payments that he'd made to a scammer as a result of an investment scam;
- 2) to chargeback three payments that he'd made in August 2020, September 2020 and June 2021; and
- 3) to help with money missing from his pay.

Mr B identified the platform he'd made payments to a scammer from – but said that he wouldn't be able to identify the payments themselves as he'd made so many on the platform. He also explained what the scammer had tricked him into doing and how – and appeared to suggest that he'd lost £4,000 although at times he mentioned other amounts. He also identified the three payments that he wanted Barclays to chargeback. And finally, he mentioned amounts that he said were missing from his pay and the years involved.

Barclays told Mr B that it needed more information about the payments he'd made on the platform he mentioned before it could investigate his claim. In addition, Barclays told Mr B that it was too late to chargeback the payments he'd made in August 2020, September 2020 and June 2021 – that he was out of time. Barclays also told Mr B that it looked like he should be speaking to HMRC about the amounts he said were missing from his pay. In other words, Barclays told Mr B that it couldn't – at that stage – help with any of his claims.

I don't think Barclays' responses were unreasonable. I say that because:

- Barclays didn't have enough information about the payments Mr B said he'd made on the platform he mentioned to attempt to claim them back – other than that he had probably paid the scammer around £4,000 in total. Barclays didn't know, for example, exactly which transactions Mr B was disputing or how they'd been made / from where they'd been made etc. That's the type of information any bank would need in order to attempt to claim a payment back; and
- it was too late to chargeback the payments Mr B had made in August 2020, September 2020 and June 2021; and
- it wasn't unreasonable of Barclays to conclude – based on the information that Mr B had provided – that his complaint about amounts he said were missing from his pay was, in fact, a dispute he had with HMRC about tax and rebates.

It's clear that Mr B was very upset that Barclays said it couldn't help him with any of his claims – made worse by the fact that he'd seen an advert when he went into a Barclays branch around the time saying Barclays insured customers against the loss of stolen money. I can see that Barclays looked into this – the idea that it offered customers insurance against the loss of stolen money – and concluded that it offered no such thing. When Mr B originally complained about this, however, he mentioned that losses of up to £85,000 were covered. I don't, therefore, think it's unreasonable to assume that what Mr B in fact saw was a reference to the fact that deposits are guaranteed by the government in the event that a bank goes insolvent up to £85,000. For that reason, I do think Barclays could have dealt with that part of Mr B's complaint better.

Mr B told Barclays that he was going to sue for £170 million at one point because of the amount of time he said it had made his waste – time he said he'd never get back – and the impact this had on him mentally and financially, but that he'd settle for £70 million. He said Barclays needed to pay him between £150,000 to £3,150,000 when he originally complained to us and that he wanted Barclays to credit £4,000 to his account.

More recently – specifically ever since our investigator explained to Mr B that we couldn't award him more than £375,000 in relation to this complaint – Mr B has been saying that Barclays needs to pay him £375,000 in compensation. So that figure - £375,000 – is the figure I'm going to keep in mind assuming I decide Barclays acted unfairly in this case.

did Barclays act unfairly when it said it couldn't help Mr B with his claims?

For the reasons I've already given, I don't think Barclays acted unfairly when it said it couldn't help Mr B with any of his claims.

does Barclays have to pay Mr B compensation?

Because I don't think Barclays acted unfairly when it said it couldn't help Mr B with any of his claims, I'm not going to require Barclays to pay Mr B any compensation as that wouldn't be fair. I appreciate that this will be a disappointment to Mr B as he believes he should be getting compensation. But he asked us to look into his complaint – and we do so impartially – when he came to us and give him an answer. So, that's what I've done.

My final decision

My final decision is that I'm not upholding this complaint and not going to be telling Barclays Bank UK PLC to pay Mr B any compensation.

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

Nicolas Atkinson
Ombudsman