

## **The complaint**

Mr U complains about the service he received from Santander UK Plc, when he tried to process a transaction and register a complaint.

## **What happened**

I issued a provisional decision on 29 February 2024, and this is what I said:

*I've considered the relevant information about this complaint.*

*Before I issue my final decision, I wanted to give everyone a chance to reply.*

*I'll look at any more comments and evidence that I get by 14 March 2024. But unless the information changes my mind, my final decision is likely to be along the following lines.*

## **The complaint**

*Mr U complains about the service he received from Santander UK Plc, when he tried to process a transaction and register a complaint.*

## **What happened**

*Mr U has a current account with Santander and, as he was unable to use his mobile phone to verify a payment, he decided to complete the transaction using a landline.*

*Mr U's complaint follows the service he received from a Santander representative. There are 3 strands to his complaint, and these are:*

- 1. When he first called Santander's representative to make the payment, he felt they had an unhelpful attitude, asked excessive and unnecessary security questions and breached GDPR. This caused him frustration and inconvenience including having to make a second call.*
- 2. He asked this representative to lodge a complaint and they refused.*
- 3. He is dissatisfied with the way his complaint has been handled and is in dispute with Santander's complaints department. Also, he is dissatisfied over the amount of time spent communicating with Santander's complaints handling team. This is because:*
  - a. He has found Santander's complaints handling team to be combative*
  - b. They have been dishonest about calling him on his landline on 18 October 2023*
  - c. His preference is for communications by email, and they have ignored this and sent letters*
  - d. He disputes that emails are not a safe communication method*
  - e. He hasn't received either letters or acknowledgement by email*
  - f. He has submitted several complaints and they've said they will close them down if he doesn't provide his mobile number*

*Mr U brought his complaint to our service, but it wasn't upheld by our investigator.*

*As Mr U remains dissatisfied this case has now been referred to me to look at.*

***What I've provisionally 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'm not upholding this complaint and I will explain how I have come to my provisional decision.*

*I should first explain that:*

- As mentioned by our investigator, a complaint about whether Santander have breached either the Data Protection Act (DPA) and / or the General Data Protection Regulations (GDPR) should be referred to the Information Commissioners Office (ICO).*
- There are rules (known as DISP Rules) laid down by the Financial Conduct Authority (FCA) which means complaint handling is not a regulated activity. So, specific complaints about how Santander manage complaints, including their processes and responses, can't be considered by our service. Therefore, I'm unable to consider Strand 3 of this complaint.*
- In cases, where information is incomplete, inconsistent or contradictory, I must reach my decision on the balance of probabilities – in other words, what I consider most likely to have happened in light of the available information.*

*I looked closely at strands 1 and 2.*

***Strand 1***

*I requested and listened to the recording of Mr U's call with Santander.*

*I found that Santander's representative asked 10 questions in total. And of these 10 questions:*

- 3 were to establish Mr U's security code and, based on the fact that password questions were subsequently asked, I think it more likely than not that one or more answers given were incorrect.*
- 3 were to establish Mr U's password, but Mr U must've given incorrect answers as the representative suggested he write it down and then Mr U said he couldn't recall it.*
- 4 were an alternative verification method due to the representative being unable to identify Mr U using the above. These questions were:*
  - 1. Date of birth, which Mr U answered*
  - 2. A recent incoming transaction, which Mr U answered*
  - 3. A recent outgoing transaction, which Mr U answered*
  - 4. A card security code digit, which Mr U chose not to answer as he felt the questions had become excessive*

*In their complaint response letter Santander say:*

*'I agree the right security process was not followed and too many questions were asked I am so sorry for the inconvenience that this caused'.*

*As I don't have any information on which questions were answered correctly, based on my above assessment and the response from Santander, it seems more likely than not that the representative asked at least 1 more question than they should've.*

*From listening to the call Mr U became frustrated when the 10<sup>th</sup> question was asked, and I don't think this would've happened had the representative stopped at question 9 which would've been the third alternative method question.*

*I recognise Mr U's annoyance here and although I think the representative must've been overzealous in asking an extra question, I don't think she had an unhelpful attitude. I say this because I think she fully explained her actions, in a clear and polite way, and I think most of the extra questions she asked were because Mr U was unable to answer some security questions. So, from listening to the call, I think she was trying to help Mr U and even when Mr U said 'I'm fed up speaking to you' she continued to be polite and tried to assist him.*

*So, having considered the above, I'm satisfied that Mr U was caused some frustration and inconvenience.*

*I then considered if Santander's compensation offer was fair and reasonable. Assessing compensation isn't an exact science and our approach when making awards for non-financial loss is detailed on our website and tends to be modest.*

*I recognise that Mr U experienced frustration and annoyance, he was on the phone a long time and had to make a second call. However, when considering all of the above circumstances, together with our guidance, I think £30 is a fair and reasonable amount of compensation here.*

## Strand 2

*On the call Mr U asked the representative to log his complaint and I found that rather than refuse, she politely said she would first 'need to put you on hold to get the (complaints) process started'. When Mr U strongly resisted this, she politely explained her reason and, because of the way Mr U spoke to her, assertively repeated the need to put him on hold. And it was at this point Mr U curtailed the call.*

*I recognise that Mr U was both frustrated and annoyed at this point of the call and was perhaps concerned that she was going to excuse herself from logging his complaint or leave him on hold. But having listened to the call, I think the representative's actions were reasonable and I don't think this was the case.*

## Summary

*Having considered the above and all the information on file, although I recognise Mr U's frustrations here, I think Santander's apology and compensation offer is fair and reasonable. So, my provisional decision is not to uphold this complaint.*

### **My provisional decision**

*For the reasons I've given above, it's my provisional decision not to uphold this complaint.*

*I'll look at anything else anyone wants to give me – so long as I get it before 14 March 2024.*

*Unless that information changes my mind, my final decision is likely to be as I've set out above.*

### **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.

Both parties responded before the deadline.

Santander said they had nothing to add. However, Mr U disagreed with my provisional decision and said:

- I had failed to mention that on the call he said *'I was having to take time off work to make the call. I had to make time up for them wasting my time'*.
- *'I have major issues with your review and the way in which you have worded your letter'* but didn't elaborate on this comment.

Bearing in mind Mr U's comments, I looked at everything again.

I recognise that Mr U took time out of work to make the call, and this took longer than anticipated. Although the call recording is a little over 9 minutes with no gaps, I think it more likely that not that the call took longer.

I say this because Mr U may have had to hold prior to being connected and then after 4 minutes 34 seconds, there was a requirement for Santander's representative to prepare an alternative verification process because Mr U didn't know his password. But it isn't possible to know how long Mr U had to wait at either this point or upon initial connection.

It's clear from Mr U's comments that, at the point of being put on hold, the call was taking longer than anticipated and he needed to get back to his work. However, the hold doesn't appear to have been long and Mr U said *'yes please'* when the representative said she would start a new process.

Based on the information available, Santander's final response letter and my analysis of the security questions Mr U was asked, I think Santander's representative asked one question too many. It may be that Mr U considers she asked more than one question too many, but as mentioned question 10 led Mr U to discontinue the call. So, bearing in mind Mr U then had to make a second call, he considers the time spent on the call wasted. I can understand him wanting to be compensated for this time, together with the frustration he experienced.

I considered the compensation amount of £40 (and not £30 which I referred to in my provisional decision), bearing in mind the length of the call was likely to have been in excess of 9 minutes. But considering the following, including file information on the impact, I think this is a reasonable amount of compensation:

- Using financial services won't always be totally hassle free
- Santander's security questions were because they have a responsibility to protect customers and themselves from fraud. And the reason the call was long, and Mr U agreed to be put on hold, was because he was unable to answer security questions.
- It was a one-off incident; the impact appears to have been minimal and it was subsequently put right

Regarding Mr U's dissatisfaction with Santander's representative, I listened to the call again and I'm satisfied that she politely tried to assist Mr U and didn't refuse to lodge a complaint.

Having considered everything again, whilst I recognise Mr U's frustrations, I still think Santander's apology and compensation offer to be fair and reasonable. So, my final decision is not to uphold this complaint.

## **My final decision**

My final decision is that I'm not upholding this complaint against Santander UK Plc.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr U to accept or reject my decision before 13 April 2024.

Paul Douglas  
**Ombudsman**