

## **The complaint**

G, a limited company complains that Santander UK Plc unfairly applied a charge and then failed to properly follow its complaints process.

Mr K, a director of G, brings this complaint on G's behalf.

## **What happened**

As part of switching G's account to another bank, Santander applied a £10 charge.

Mr K contacted Santander about the charge by email on 8 May 2023. Santander replied to say that although the charge was included in an invoice that G attached to its email – Santander had not debited the charge from G's account.

Mr K was unhappy that Santander didn't just raise his complaint as he'd asked. Mr K wanted Santander to apologise and offer a gesture of goodwill.

Santander provided evidence that it sent G its final response on 22 May 2023. Santander told G that it had correctly applied the charge but as Mr K hadn't been made aware about the charge, it had refunded the fee to G's account.

Our investigator didn't recommend that G's complaint be upheld. In summary, our investigator agreed that Santander's emails were a little abrupt but as the complainant is G, not Mr K, we couldn't consider any distress he may have felt personally.

Our investigator thought that Santander had applied the charge correctly. As it had refunded the charge after raising G's complaint, he didn't ask Santander to take further action.

Mr K is unhappy with the investigation outcome. He thinks that we have not addressed the fact that Santander ignored G's complaint and failed to respond to his emails for months.

Our investigator responded to say that Santander raised G's complaint on 16 May 2022 so he didn't think that Santander's lack of response to a couple of earlier emails impacted G.

Mr K remains unhappy with the outcome and asks whether Santander followed their own terms and conditions or the rules of the Financial Ombudsman Service by not raising a complaint after he'd sent three separate emails.

## **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 appreciate Mr K's frustration with the way that Santander handled G's complaint but the Financial Ombudsman Service doesn't supervise, regulate, or discipline the businesses we cover. It would be for the regulator – the Financial Conduct Authority – to make decisions about the way in which businesses work.

I should also say that complaint handling, as an activity in itself, is not generally a regulated activity that this service can consider. That being said, the evidence Santander has provided shows that it acknowledged G's complaint by email on 12 May 2023. Santander then sent a letter acknowledging the complaint by email on 16 May 2023, before sending it its final response – also by email – on 22 May 2023. This makes it difficult for me to find that Santander ignored Mr K's request to raise a complaint on behalf of G.

I understand that Mr K found Santander's emails to be curt and unhelpful but this complaint is made by G, not Mr K. G can't have hurt feelings, so although I appreciate how Mr K felt about his interactions with Santander, I can't make an award to G to reflect that upset.

It is unfortunate that Santander initially told Mr K that it hadn't deducted the charge from G's account. But I'm satisfied that Santander explained what had happened and refunded the amount of the charge in less than two weeks after Mr K first complained.

The charge that Santander applied was done so in line with the terms of G's account which allow Santander to charge £10 for making a faster payment using telephone banking. So, I'm not persuaded that Santander was wrong to apply the charge in the first place. I haven't seen evidence of a direct financial loss to G. So, as Santander has already refunded the charge as a gesture of goodwill, I don't consider an additional award of compensation is justified in this case.

### **My final decision**

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask G to accept or reject my decision before 11 December 2023.

Gemma Bowen  
**Ombudsman**