

The complaint

Mrs F complains that Santander UK Plc ('Santander') made her queue for too long when she wanted to pay a cheque and discriminated against her when she tried to complain.

What happened

Mrs F held a bank account with Santander. She attended a branch to pay in a cheque. There was a deadline for paying it in. Mrs F was in pain at the time due to her health and queued in discomfort for around an hour.

Mrs F says that she approached a staff member to complain about the wait, who grimaced at her and then walked away. She says that the staff member did this because of her race and other customers weren't treated like this.

Santander says that the queues on the day in question were unusually long. It says that this was due to staffing issues because of covid. It did accept the wait times in the queue were long and offered Mrs F £75 for the inconvenience caused.

Santander says that staff present on the day were spoken to in order to investigate the issue with the other staff member and that no evidence of racial discrimination could be identified beyond Mrs F's allegation. It says that the CCTV footage from the day in question is not available for review.

Our investigator thought that the evidence did not support Mrs F's complaint in relation to discrimination, but they agreed that the wait time had been long. They thought that Santander's offer of £75 properly reflected this and that it did not have to do anything more.

Mrs F did not agree and so this has come to me for a decision. She did not believe that the CCTV is unavailable – she believes this is convenient for the bank.

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 have firstly thought about the delays that Mrs F experienced on the day. Santander cannot control how busy a branch will be at a given time, and its staffing levels were impacted by covid. I think that queues are part of the ordinary experience of day-to-day life. I accept Mrs F was in pain due to her health, but I cannot see that she brought that to Santander's attention before queueing. Santander could not have been expected to act on information that it did not have. I understand there is an automated system at the branch to pay in a cheque as an alternative option. I think joining the queue was therefore Mrs F's choice in the circumstances.

There are some conflicting accounts about whether the cheque was in date or not and issues with that. It was clearly in Mrs F's mind as a potential issue. Santander say that the

deadline had been the day before, but that the cheque was processed in a non-standard manner. This would have taken longer than usual. I'm satisfied that, taken together with the queue, Mrs F's branch visit was longer than she expected. Santander has agreed that this was unreasonable and offered £75 in relation to the delays. I think this is fair and I'll comment on this further below.

The other matter is a more serious one. Mrs F alleges that she was treated less favourably because of her race when she complained about the delay. She says that this took the form of a grimace and an attitude of not wanting to know. Santander's member of staff refuted this when the complaint was investigated.

I have made enquiries about the CCTV footage and considered what Santander has to say about the CCTV. I can see references to it being unavailable and engineers being called out. These are in internal communications at Santander, rather than being external explanations being provided to this service or to Mrs F. Given this, I think it is more likely than not the case that the CCTV from the day was genuinely unavailable, rather than this being any sort of excuse or attempt to withhold evidence.

I have two very different accounts of how Mrs F's concerns on the day were handled, and nothing independent. In the circumstances, I have to decide whether it is more likely than not that Mrs F was treated unfairly or unreasonably given what I do have. Mrs F says that the manager's attitude was influenced by her race. The manager also describes Mrs F being very unhappy with the delays and service on the day in question, which would equally explain any exchange but I'm afraid I haven't seen anything persuasive to suggest this was motivated by Mrs F's race. While I'm satisfied that Mrs F's account is her honest opinion, I cannot say that her treatment was down to her race.

Clearly there were some service issues on the day and a senior member of staff later dealt with the complaint. They spoke with staff about customer service. Santander also acknowledged Mrs F had a long wait to deal with her cheque. This caused her some discomfort and that's why it offered her £75 to reflect the distress and inconvenience caused. Overall, I'm satisfied the steps taken by the bank were a fair resolution. So beyond paying Mrs F this compensation, I'm not going to ask it to do anymore.

My final decision

My final decision is Santander UK Plc has already made an offer to pay £75 to settle the complaint and I think this offer is fair in all the circumstances.

So, my decision is that it should pay that to Mrs F, unless it has already done so.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs F to accept or reject my decision before 8 August 2023.

Sarita Taylor
Ombudsman