

The complaint

Mr D complains Santander UK Plc isn't treating him fairly – he's disabled – and that it doesn't care.

What happened

Mr D has a current account with Santander and a debit card. He told us when he complained to us that he has a laptop and a mobile phone but is unable to use online banking independently and struggles to get to branch. So, he uses telephone banking. There have been some developments recently – to which I'll come back shortly – which mean that he's now more able to use online banking. But these developments have only happened recently.

Until recently Mr D called Santander on a regular basis and these calls often went wrong. They normally went wrong because Mr D gives the whole of his security number when he's asked for it rather than specific digits. He says that Santander's staff regularly say he's not allowed to do this or shouldn't do this despite there being notes on his account to say he can. He says that this means Santander's staff aren't reading his notes and don't care about disabled people.

Santander says Mr D complains on a regular basis about things going wrong, and then says he hasn't complained when it tries to investigate. Or he says he wants Santander to delete his complaint from its records. Santander says it has to keep a record of complaints made.

Mr D complained to Santander about its staff not reading his notes and not caring. Santander investigated Mr D's complaint. Mr D then complained to us.

One of our investigators looked into Mr D's complaint and said that they'd listened to a lot of calls where Santander's staff were patient, kind and professional. They'd also listened to calls that had gone off track. Our investigator thought that, given the ways in which the calls had gone off track, it would be helpful if Mr D had a point of contact, or several points of contact. Our investigator also thought that Santander could improve the information it has on its systems about Mr D so that calls didn't go off track – at the time of the complaint Santander had almost 150 notes on its system about Mr D which staff were expected to read before speaking to him. Our investigator also recommended £300 in compensation.

Santander didn't agree with our investigator's recommendations, saying that it doesn't have the ability to offer a point of contact – or several points of contact. Mr D was unhappy with the amount of compensation recommended and said that Santander pays him compensation when something goes wrong but nothing ever changes. So I was asked to look into this complaint. I did so and attempted to resolve it informally. As I wasn't able to do so – both parties stopped replying to me – I issued a provisional decision saying that Santander ought to provide Mr D with a point of contact in its complaints or executive team so that he has someone dealing with his relationship with Santander who knows him, and what he needs, well who could help keep the relationship on track. In addition, I said that Santander ought to pay him £500 in compensation.

Both parties replied to my provisional decision. Santander said that the suggestion for a

telephone contact may not be the best outcome for Mr D as he had decided not to take up the offer of using voice recognition to pass security meaning he'd need to complete security over the phone. Santander instead suggested it could introduce Mr D to his local branch manager – he has a branch three miles away – instead. Santander also said that it was concerned it was being asked to provide a service it doesn't currently offer and which might not be sustainable. Santander said it was also concerned it might set a precedent. Mr D was happy with my decision and the compensation I'd suggested. He also said that he was now using his online banking a lot more and that this meant he was calling Santander very little and, in turn, means he now knows what's going on with his account and is less anxious.

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 have sent us a lot of information, and Mr D has complained about a lot of calls that have gone wrong. In this case, however, I didn't think it was going to be helpful sending a detailed decision. So, having tried and failed to resolve this complaint informally, I sent a brief provisional decision saying what I thought of this complaint so that both parties would have an opportunity to comment on what I thought.

In that provisional decision, I said that I'd listened to a large number of calls between Mr D and Santander, and I'd spoken to him too. I said that he's a nice gentleman who can sound angry on the phone when he's not because his voice is, at times, loud. He can also get frustrated and upset quickly. In addition, I said that he often repeats points and his speech isn't always clear. I said I can, therefore, understand why a call with him might go wrong if someone is speaking to him for the first time or not able to handle the call in the right way. I also said calls are also likely to go wrong early on because Mr D gives the whole of his security number when he's asked for it rather than specific digits. That's something that well-trained staff will find counter-intuitive, so most well-trained staff will say that's not something he should be doing. But I also said – and neither party disagreed with me – that everyone appears to accept that this is an adjustment that needs to be made for Mr D.

I said I agreed with our investigator that Santander's staff have dealt with a lot of calls from Mr D where they've been patient, kind and professional. Indeed, I said I'd go further. I said I'd heard some excellent examples of really well-handled calls. But I'd also heard calls that had gone off track in part because the member of staff hadn't spoken to Mr D before – and so wasn't aware of what to do and what not to do – and because Santander has far too many notes on its system about Mr D which means they're not helping in the way they should. In other words, as I said in my provisional decision, I agreed that Santander is at fault here – although not exclusively.

In my provisional decision, I said if Mr D only rang Santander when he needed to get information or complete a transaction, the calls that go off track wouldn't happen that regularly. Unfortunately, at the time of my provisional decision, that wasn't what was happening. Mr D was calling Santander far more than he needed to. The volume of calls meant the time between two calls going off track is much shorter than it otherwise would be. That was upsetting Mr D because he believed Santander didn't care given the apparent frequency with which things were going wrong. I said that it would, therefore, help if Mr D only rang Santander when he needed to. I'm pleased to say that this is what has been happening recently because Mr D has told me he is now getting support with his online banking meaning he only rarely has to phone Santander. More importantly, because of this, he's now also less anxious.

In my provisional decision I said it would also help if Santander could find other ways to

complete security. I said I knew, for example, that voice recognition was an option. And I also said that Mr D believes that this won't work because of his speech problems. I said I accepted that there are words that Mr D has difficulties with. He doesn't appear, for example, to be able to say the word "complaint". Instead he says "plaint". But I also said that these days voice recognition is much more sophisticated than it used to be, and I did think it might be an option for Mr D. I said that both sides would, however, have to be willing to try – and Santander saying whether or not this is an option would be a good start. I said if voice recognition works, it would mean Mr D wouldn't be asked for his security number – in whole or part – every time he calls. In other words, one of the reasons why calls often go off track would go away. It's disappointing that Santander didn't come back to me on this point – and on whether or not its voice recognition system would be able to recognise Mr D's voice notwithstanding his speech problems. It means this avenue hasn't been explored. I hope Santander will revisit this.

In my provisional decision, I said I'd heard some calls where Mr D said things to Santander's staff that would be upsetting for them. I'd heard him say, for example, that Santander's service is the "worst ever" and to staff that he "hopes they lose their job". I don't think Mr D means to upset the staff – he'll often say "sorry" shortly afterwards or compliment the member of staff. And he'll often make a complaint only to withdraw it later saying that he's "happy" with Santander. But these are upsetting things to say to someone who is trying to help.

Once I became involved in this complaint, I asked Santander to reply to what our investigator had recommended and, in particular, setting up a point or points of contact for Mr D. I didn't get a response from Santander. I also asked Santander to comment on a proposal to resolve this complaint, namely that Mr D be given a point of contact in Santander's complaints or executive office team so that he had someone dealing with his relationship with Santander who knows him, and what he needs, well who could help keep the relationship on track. I didn't get a proper response to that proposal either, other than a suggestion that this is only something Santander would do if it was told to do so in a decision from an ombudsman. I've seen this kind of proposal work very effectively elsewhere. So that was part of the solution I proposed in my provisional decision. Santander has replied to that proposal saying that it thinks introducing Mr D to his local branch manager would work. But I'd already explained in my provisional decision that Mr D doesn't find it easy getting into branch – he's told me there's only one bus a day that would get him there on time – so this isn't an option I've explored further.

It was clear to me that Mr D was going to continue to have problems with Santander unless and until the parties found a better way of working together. In a case like this, when it's obvious that things are going wrong, I would have expected a business like Santander to come up with ideas and solutions. It's disappointing that throughout this complaint it didn't do so. Had it not been for Mr D getting support to help him with his online banking, and that working well meaning he doesn't need to rely on telephone banking much now, Mr D would still have been having problems with his banking.

Putting things right

The fact that Mr D doesn't use telephone banking as much now – normally only when his internet goes down – means I don't think the proposal I made is going to be unsustainable in the way Santander fears. So, I'm going to require Santander to give Mr D a point of contact in Santander's complaints or executive office team so that he has someone dealing with his relationship with Santander who knows him, and what he needs, well who could help keep the relationship on track. In addition, having looked at the length of time Mr D has been having problems with Santander and the impact this has had on him I'm going to award him £500 in compensation.

I've written to Mr D explaining some of the things he'll need to take into account when dealing with Santander in the future. I've explained, for example, that Santander is there to answer calls he has about his banking and that he shouldn't, for example, be calling Santander simply to chat to someone – even if the staff there are polite and friendly. I've also explained, for example, that Santander doesn't intentionally treat customers who complain unfairly because they've complained – or shouldn't do. I've sent a copy of this letter to Santander too, so both parties know what to expect going forwards.

My final decision

My final decision is that I require Santander UK Plc to give Mr D a point of contact in its complaints or executive office team so that he has someone dealing with his relationship with Santander who knows him, and what he needs, well who could help keep the relationship on track. In addition, I'm going to require Santander UK Plc to pay Mr D £500 in compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr D to accept or reject my decision before 6 January 2023.

Nicolas Atkinson
Ombudsman