

## **The complaint**

Miss B complains that Santander UK Plc did not take appropriate action when an employee was rude to her.

## **What happened**

Miss B was the victim of a scam in which the scammer impersonated Santander. They did this by 'spoofing' Santander's genuine phone number, so it looked like she was actually being contacted by Santander. As a result, she lost £200.80 and she raised this as a scam claim with Santander.

During the phone call in which she discussed the claim, she felt the call handler was rude and placed blame on her for falling victim to the scam. She raised this as a complaint to Santander who explained that they could not refund the scam payments but having listened to the phone call in question, they did agree the call handler could have been more empathetic and apologised for this. Miss B remained unhappy and referred the complaint to our service.

Our Investigator looked into the complaint and explained why we would not expect Santander to refund the payments totalling £200.80. And they agreed that the call handler could have handled the call in a more professional manner, but they felt the apology provided by Santander was a reasonable resolution to the complaint. Miss B disagreed with this. She said that Santander were already aware of her mental health issues and that the call handler blaming her for the payments made these worse. And she pointed out that her complaint was not in relation to the scam itself, but instead was about how Santander had treated her over the phone.

As an informal agreement could not be reached, the complaint has been passed to me for a final decision.

## **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 that Miss B is not complaining about the scam itself, but I have considered Santander's response to her scam claim when assessing if the call handler dealt with her claim fairly.

I've listened to the call carefully. In this, Miss B said she had received a text asking her to contact Santander for an update on her claim. The call handler then explained a decision had been made on her claim and he read out what the individual who investigated her claim had said.

This correctly identified that, in this particular case, Miss B was not due a refund for the scam payments. It should be noted that I have independently reviewed the scam itself and in this case, I do agree with the general outcome Santander reached.

However, the call handler was clearly reading a note left by someone else. In doing so, he read it quickly, with no real empathy for Miss B's situation. He went on to read out a generic scam warning which most likely would be read to all victims of scams. Again, he did so quickly, with no emotion or empathy and no attempt to consider Miss B's specific situation. Overall, while he was giving Miss B correct information, I don't think he considered her individual journey as a victim of a cruel and sophisticated scam. And overall, I do think Miss B could have received better service in the circumstances.

What's left to decide is if Santander has done enough to resolve the complaint. I can see they apologised to Miss B and let her know feedback had been provided to the individual. And on balance I agree this is a fair resolution to this particular complaint, taking into account all of the factors.

I appreciate Miss B may remain disappointed, but I hope this has gone some way to make her feel like her complaint has been heard and acknowledged in the circumstances.

### **My final decision**

I don't direct Santander UK Plc to take any further action to remedy Miss B's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss B to accept or reject my decision before 22 April 2024.

Rebecca Norris  
**Ombudsman**