

## **The complaint**

X complains on behalf of Mr K that restrictions were added to Mr K's account with Santander UK Plc ("Santander") following a third party raising concerns about their account activity. X believes Mr K was coerced into changing his address with Santander and that the third party may have viewed his bank statements.

## **What happened**

Mr K holds an account with Santander. X holds a lasting power of attorney (LPA) for Mr K's property affairs including his account with Santander which allows him to take certain actions on Mr K's behalf providing Mr K allows it. On 26 September a card payment of around £47,000 was paid to a building society. Santander received a notification from a third party that a large payment had been made out of the account raising concerns.

Due to the LPA being registered on the account and Santander being notified of Mr K as being a vulnerable customer it placed a restriction on the account while it investigated. Following investigation Santander lifted the restrictions it had temporarily applied and X remained on the account as attorney.

X complained to Santander on Mr K's behalf. Santander didn't uphold the complaint as it hadn't made a mistake in the actions it took. It says it has a duty as a bank to safeguard its customers interests and that certain legal and regulatory obligations can require it to withhold transactions or services and block accounts when concerns are raised.

X was dissatisfied with this, he believes the actions of Santander weren't justified and brought a complaint to this service.

One of our investigators looked into X's concerns but didn't see any information to show any errors with the restrictions added to Mr K's account or in updating his address as requested and so didn't think Santander had acted unfairly.

X disagreed and has asked for an ombudsman's 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.

It might be helpful for me to say here that, as we are not the regulator, I don't have the power to tell Santander how it needs to run its business and I can't make Santander change its systems or processes – such as how or when safeguarding measures are taken or restrictions applied to an account for fraud prevention. We offer an informal dispute resolution service and we have no regulatory or disciplinary role.

That said I don't think it is unreasonable for Santander to have processes and tools in place for protecting its customers when safeguarding concerns are raised – in this case applying restrictions to Mr K's account while it investigated concerns that were raised. As I'm sure

both X and Mr K understands this is needed not only to protect businesses against criminal activity, but also their customers.

Furthermore, I don't think Santander has acted unreasonable or did anything wrong in applying restrictions to Mr K's account while it carried out an investigation when concerns were raised about the account activity. Given the amounts involved and Mr K's vulnerabilities, I think the actions taken by Santander were reasonable until it could be satisfied the activity on the account was legitimate and in the best interests of Mr K.

I appreciate Mr K and X have been both distressed and inconvenienced by this, but the actions Santander took is allowed under its terms and conditions and is in-line with its regulatory obligations and ultimately, it took this action to protect Mr K's interests, so I don't think Santander have acted unreasonably here. And so it follows that I don't uphold this complaint.

### **My final decision**

For the reasons I've explained, I've decided not to uphold Mr K's complaint against Santander UK Plc.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 21 May 2024.

Caroline Davies  
**Ombudsman**