

The complaint

Mr B complains about the service provided by Santander UK Plc (Santander) when speaking on the phone to its fraud department. His experience left him undecided about whether or not to change to a different Santander account and he feels he's now out of pocket as a result of missing out on potential benefits available.

To put things right Mr B would like Santander to pay him financial redress and assure him that it will ask only strictly security questions in future.

What happened

When Mr B tried to transfer a five-figure amount from his Santander account to an account he'd opened with another bank, Santander stopped the payment and blocked his online banking access.

As I understand it, the crux of Mr B's complaint is about his dealings with Santander's fraud department when he went to his branch to try and sort things out. He's broadly satisfied with the way the branch staff member dealt with him. But he's unhappy that when the branch put him in touch by phone with its fraud department, the call handler he spoke to left him feeling *'bullied'* and *'...deliberately made to feel culturally insulted.'*

Santander didn't uphold Mr B's complaint about what happened. It said:

- his attempted payment was flagged by its automated fraud monitoring system, which was in place to protect his money
- the call handler had followed correct process
- Santander was required to ask questions about the payment to understand the circumstances in order to help protect Mr B's money from fraud/scam attempts.

Mr B didn't feel this was a satisfactory response and so he brought his complaint to us.

Our investigator didn't think she had seen enough to ask Santander to take any further action. In brief summary, she said that Santander followed its internal processes correctly and she didn't consider that Mr B had lost money as a direct result of the security call with Santander.

Mr B strongly disagreed with our investigator, mentioning the following main points:

- the call handler was long winded, didn't focus on the security questions so Mr B could get back into his account and wrongly claimed he was not shut out of his account when he was.
- The public has a reasonable expectation that banks will act consistently and taking close to an hour was too long for Santander to unblock his bank account, bearing in mind Mr B referred to another institution doing this in just five minutes.

- Mr B feels it's uncertain whether this might happen again which means he is unable to decide whether to move away from Santander or change to a different Santander account, and this delay has a real cost for Mr B.
- Mr B says he has a right to know why his account became blocked and that Santander's procedures are unacceptable. He says what happened left him very worried that a scammer had gained access to his account. He felt he couldn't trust any of the onscreen information, leaving him no option but to go directly to a branch as he couldn't rely on the phone numbers shown being genuine.
- He still felt bullied because of the way the call handler treated him.

Mr B has asked for an ombudsman to review his complaint, so it comes 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 can understand why what's happened has been upsetting and frustrating for Mr B. But having thought about everything, I've independently reached the same overall conclusions as our investigator. I'll explain my reasons.

I've briefly summarised and expressed in my own words what seem to me to be Mr B's main concerns and my focus is on what I think are the key issues here. Our rules allow me to do this and this approach simply reflects the informal nature of our service as a free alternative to the courts. We are impartial and we make our decisions based on a balance of probabilities.

In order to be able to uphold Mr B's complaint, I have to be able to fairly say that Santander did something wrong or treated Mr B in a way that wasn't fair and reasonable, and that this caused him loss – so I've looked at what happened with this in mind.

Santander has explained that its fraud detection system identified the need for a check before Mr B's payment could be authorised. I appreciate this can be frustrating and I don't underestimate how anxious this left Mr B feeling about his account security when this happened to him. But these checks are designed in the interests of Santander customers to help keep their money safe and prevent fraudulent activity on their accounts. I've seen that the relevant account terms and conditions, which Mr B would've agreed to in order to be able to use his account, allowed Santander to refuse his payment instruction in these circumstances. So I don't find that Santander made any error or did anything wrong when it blocked the transfer Mr B wanted to make.

Nonetheless, Santander still needed to act in a fair and reasonable way towards Mr B. I've thought carefully about this.

Santander's records show that a text message was also sent to the phone number Santander had on record for Mr B when the account block was placed – this said:
'Important: We've just declined a payment on your account and need to check it was made by you. Please call us on 0800 028 1858 as soon as possible.'

And I think it's fair to say there were other ways that Mr B could have quite easily found out how to contact Santander by phone if he would have preferred not to go in person to a branch – for instance, by checking through any correspondence he'd had showing

Santander's contact information or his own call log if he'd spoken to Santander previously, or carrying out an online search.

I've listened carefully to the call recording of the phone call Mr B complains about.

The call handler told Mr B that it looked like the account he was attempting to pay his money into wasn't live on the system. I don't consider that was surprising given that Mr B had only set up his new account that morning. I wouldn't reasonably expect banks' systems to reflect this information straightaway – updates like this won't necessarily show up immediately (sometimes they happen overnight). So this isn't a good enough reason for me to uphold the complaint against Santander.

I don't doubt that Mr B is certain about what he's told us or that he found dealing with the fraud department very stressful. But the call recording doesn't support Mr B's assertion that the call handler threatened to stop the call or that he unhelpfully used 'bank speak' and spent time on unnecessary discussion rather than focussing just on security questions.

It sounds like it was difficult for the call handler to progress the call when Mr B was speaking at the same time as the call handler was attempting to ask the questions he needed to put to Mr B. The call handler explained that Mr B's account wasn't blocked – only his online access – and that he would have been able to use his bank card in a cash machine. Mr B didn't accept this and remained very concerned that he'd been locked out of all his money. At one point, the call was suspended when Mr B became too agitated to continue.

The call handler explained that he needed to check the sort code and bank information to verify that it matched the information Mr B had input and said that if he had an email or some other communication verifying the correct details, then he could remove the block, but only after going through a 'scam' conversation with him.

The call handler waited until Mr B felt able to resume the call then took him through the scripted conversation that explained how scammers dupe and pressure people into moving money to an account controlled by fraudsters. The questions the call handler put to Mr B were designed to help identify and mitigate the chances of this happening to Mr B's money in this situation. I can see why Santander might've thought this was a risk here given that the necessary account information wasn't showing on its system. I would expect Santander in these circumstances to take all reasonable steps to ensure Mr B's money was kept safe – and that it did this here. From listening to the call, I don't think Santander's member of staff tried to bully Mr B.

After completing the necessary checks, the call handler removed the block that was preventing Mr B from completing the money transfer he wanted to make. The branch staff member, who had been present throughout and assisted Mr B during the call, arranged for the transfer to complete.

It's open to Mr B to move or change his account at any time, so I can't fairly say that Santander is responsible for him losing out on account benefits he might qualify for because he hasn't yet made up his mind about what to do.

I'm sorry that this was such an upsetting experience for Mr B overall. But I don't find that the service Santander provided to Mr B during the call he has complained about was below the standard I would reasonably expect. I consider that Santander acted towards Mr B in a sufficiently supportive and informative way, its actions and questions were appropriate and overall, I haven't seen or heard enough to uphold his complaint. This means I can't award the compensation Mr B would like me to.

I can't comment on what Mr B has said about Santander not actioning his complaint correctly – this wasn't part of his original complaint to Santander, so it's not strictly within my remit. And this service doesn't have jurisdiction to look into stand-alone complaints that are just about complaint handling. The industry regulator, the Financial Conduct Authority (FCA), says our service can only look into complaints about regulated activities, and complaint handling isn't a regulated activity. In any event, Santander responded to the complaint within the time limit set by the FCA.

I appreciate that my decision will be disappointing for Mr B but I hope that setting things out as I've done helps him to understand how I've reached my conclusions.

My final decision

It is my final decision that I don't uphold Mr B's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 8 May 2024.

Susan Webb
Ombudsman