

## **The complaint**

Mr P complains that the letter Santander UK Plc sent him about activity on his account caused him distress and he wants compensation for this.

## **What happened**

In March 2024, Mr P was sent a letter by Santander in about recent gambling activity on his account. He says he felt the letter was personal and the wording of the letter caused him distress. He didn't think it right that Santander should be commenting on how he spent his money.

Santander set Mr P an initial final response letter not upholding his complaint. It then sent a further final response letter in which it acknowledged that it hadn't called him to discuss his complaint. It said that the letter sent in March 2024 wasn't intended to hurt Mr P's feelings but instead to reach out in case he needed any support. It paid Mr P £100 as an apology for any inconvenience he had been caused.

Mr P referred his complaint to this service. He said he was paid £100 for not receiving a response to his complaint being raised and no compensation was paid for the impact the initial letter caused him. He thought compensation of around £500 was fair.

Our investigator explained that banks have a duty to protect their customers and that Santander had explained it had created a letter to send to their consumers once they've made a certain amount of gambling transactions on their account. He said that we don't have the power to ask a business to change its processes, but we can consider whether we feel a customer has been treated fairly as a result of these processes. In this case, our investigator thought this process was reasonable and he didn't think the wording of the letter, offering support if needed, had any intention of causing offence to Mr P. He thought the £100 compensation paid for not contacting Mr P when he raised his complaint was reasonable.

Mr P didn't accept our investigator's view. He said that had he known he would get a letter about gambling he wouldn't have opened the account. He reiterated that he thought he should be paid £500 compensation.

## **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 am sorry to hear of the upset Mr P was caused by the letter he received from Santander but for me to uphold this complaint I would need to be satisfied that Santander had done something wrong or treated Mr P unfairly.

Mr P received a letter from Santander about gambling activity on his account. I understand the comment Mr P has made about it being his money and he can choose how to spend it. I agree with this, but I also note that Santander has a duty of care towards its customers, including helping to protect from financial harm and providing support where appropriate.

Santander has explained that its data protection statement says that it will monitor activities on its customer's accounts and that the letter was sent because Mr P had made a number of gambling transactions. Therefore, I do not find that Mr P was treated unfairly by being sent the letter.

The letter sent wasn't intended to cause any distress but instead to inform Mr P of the support and tools Santander has available if he wished to use them. The letter didn't make any suggestion that Mr P's activities would be restricted and instead just provided information. So, while I understand that Mr P found the wording upsetting, I do not find that Santander did anything wrong by sending the letter and I note that it has taken Mr P's comment as feedback.

Mr P was sent a final response letter dated 23 March 2023 not upholding his complaint. He contacted Santander as he wasn't happy his complaint had been closed without receiving a call. A further final response letter was sent acknowledging that Mr P wasn't called to discuss his complaint and Santander paid him £100 for the inconvenience this caused. Taking everything into account, I find this a reasonable response.

In conclusion, while I understand Mr P was upset by the letter he received, I do not find that Santander intended to cause any offence and I do not find it acted unreasonable by sending information to Mr P about the support and tools it had. I also find the £100 compensation paid for the inconvenience caused by not receiving a call about his complaint is reasonable. Therefore I do not require Santander to do anything further in response to this complaint.

### **My final decision**

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr P to accept or reject my decision before 27 June 2024.

Jane Archer  
**Ombudsman**