DRN-4981431

The complaint

Mr and Mrs B complain about the way in which Santander UK Plc (Santander), through its private banking service has managed their information.

What happened

Mr and Mrs B say in 2020, they provided information about their source of wealth to their then Santander private banker, S. In 2024, Mr and Mrs B's new private banker sought this information. Mr B explained that he previously provided this to the bank, but it could find no record of this.

Santander investigated the issue after a complaint was logged, but it was unable to evidence the conversations that had taken place between S and Mr B. It was also unable to find that any such documents had been added to its system, so it didn't uphold the complaint. Unhappy with this, Mr and Mrs B referred the matter to our service.

Our investigator also didn't uphold the complaint. He said that while Mr B had submitted dated and timestamped text messages and call history records, these only confirmed a relationship between S and them. Without substantive evidence about the discussions that took place, he was unable to determine what information Santander had sought and whether it had failed to retain this.

Mr B questioned why there were no call records and asked Santander provide S' work call log. Because Mr B didn't agree with the investigator, I've been asked to review the complaint.

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.

Having done so, I'd like to begin by confirming that this service isn't a regulatory body or a Court of Law and doesn't operate as such. Instead, this service is an informal, impartial dispute resolution service. And while we do take relevant law and regulation into account when arriving at our decisions, our remit is focused on determining whether we feel a fair or unfair outcome has occurred – from an impartial perspective, after taking all the factors and circumstances of a complaint into consideration.

I note Mr and Mrs B have provided several submissions to this service regarding this complaint. I'd like to thank them for their time, and I hope they don't consider it a discourtesy where I've concentrated on what I consider to be the key aspects of this complaint, in line with this service's role as an informal dispute resolution service.

This means that if I haven't addressed a specific point that they've raised, it shouldn't be taken from this that I haven't considered that point – I can confirm that I've read and considered everything provided by both them and Santander in its entirety. Rather, it should be taken that I have considered that point but that I don't feel it necessary to address it directly to arrive at what I consider to be a fair resolution to this complaint.

I must consider the evidence presented by both parties, and reach an independent, fair and reasonable decision. Where facts have been in dispute, incomplete or inconclusive and I can't know exactly what's happened, I've decided what's more likely to have happened, at the time, on a balance of probabilities.

I have no reason at all to doubt that Mr and Mrs B are certain about what they've told us – but that's not enough for me to be able to uphold this complaint. I asked Santander to send me information it holds on its system relating to Mr and Mrs B from 2020. Santander maintains that it had no requirement to capture source of wealth information. According to its procedures, such data would only be documented when providing investment advice. Around the time Mr B has suggested, the private banking team did not provide Mr or Mrs B with advisory services, and this position is supported by reviewing relevant and available call recordings from 2020. These recordings demonstrate that no formal investment advice was given regarding Mr and Mrs B's portfolios during that period, and thereby, would indicate that there was no need on Santander's part to require this information.

I do not underestimate Mr and Mrs B's strength of feeling; it is entirely possible that, given the relationship customers typically develop with their private bankers, discussions about their source of wealth could have occurred during their interactions. However, on the face of the evidence, I can't conclude beyond a reasonable doubt that Santander requested this information or that it subsequently failed to properly retain documentation belonging to Mr and Mrs B.

Further, while the call records and text message logs confirm communications took place in 2020 between the Mr and Mrs B and their private banker, they provide limited context beyond establishing that a professional relationship existed. I would expect to find evidence of contact, and the records serve only to corroborate this fact. Unfortunately, and contrary to Mr B's position, the evidence he's shared does not provide deeper insight into the specific content of these conversations. As such, Mr B's assertions about what was discussed during these interactions cannot be verified, particularly given that the testimonies of both parties provide contradictory accounts of what transpired.

Mr B's desire for our service to require Santander to conduct more extensive searches for this historical communication is understandable. However, Santander has already carried out sufficient due diligence checks, and I'm satisfied that it has shared all available relevant information, including documentation of historical issues that were raised in 2020. It follows that I have confidence that Santander has provided materials beyond what was initially requested in this investigation.

In conclusion, after considering the available evidence, while limited, I haven't seen enough to show that Santander did anything wrong or that it has acted in a way that is unfair and unreasonable. So, I can't uphold this complaint.

My final decision

I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr and Mrs B to accept or reject my decision before 26 September 2025.

Farzana Miah

Ombudsman