

The complaint

Mr R & X complain that Santander UK PLC unfairly closed their account, in this complaint how this affected Mr R.

What happened

On 4 September 2023, Mr R went into a branch of Santander to withdraw a large sum in cash from his current account. He was told by the cashier that the maximum withdrawal he could make was £5,000. He asked if he could withdraw more, but the cashier insisted he could only withdraw £5,000. He was then told that he could only have the money in £50 notes. The manager got involved and it was agreed that he could have £2,000 in £20 notes and the rest in £50 notes. He says he made a sarcastic comment about the manager putting pressure on him and as a result he was ushered into a private room and challenged about his behaviour. He says that the manager told him that his account would be closed down in 30 days. He left the branch without his money but was able to complete his transaction elsewhere.

Santander wrote to Mr R on 4 September advising him that his accounts, including an ISA, would be closed on 4 November. I understand the accounts were closed and a cheque sent to Mr R for the balance.

Mr R complained to Santander. In the final response letter of 2 October 2023, the complaints adviser said that he hadn't reviewed the CCTV but that Mr R's complaint wouldn't be upheld. It said it couldn't disclose the reason for closing his accounts. Although the notice of closure letter had referred to Mr R's unacceptable behaviour.

X made a complaint concerning the way that Santander dealt with them over the closure of the joint account. This has been dealt with separately.

On referral to the Financial Ombudsman Service, our Investigator said that she did not think that Santander had done anything wrong.

On Mr R's behalf, X made the following points:

- Santander had breached FCA (Financial Conduct Authority) guidelines for acknowledging a formal complaint.
- The branch manager had failed to tell Mr R that the setting for his card could be altered to enable him to withdraw £1,500 from the cash machine. The branch should have had the cash available in lesser denominations than £50 notes.
- Mr R felt he had been bullied by the branch manager. The said manager sent Mr R an e-mail during the complaints procedure which Mr R found to be deeply disturbing and upsetting.
- The complaints handler was refused access to the CCTV.

Our Investigator reviewed X's points but remained of the opinion that Santander didn't need to take any action.

X disagreed, in particular pointing out that their personal assistant was formerly employed by Santander and has advised that the cash machine settings can be changed in the way she has said. They also remained concerned about the branch manager's e-mail.

The matter was referred to me for an Ombudsman's consideration. In the course of that, at my request, our Investigator obtained a copy of the aforesaid branch manager's e-mail.

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.

Where the evidence is incomplete or contradictory, as some of it is here, I have to make my decision based on what I think is most likely to have happened. But it may be that I can't make a finding and if that is the case I shall say so. I have a duty to be impartial so I have to assess both parties' evidence fairly.

Firstly, I understand Mr R's distress at having his accounts closed. However from the evidence I've seen I don't think that Santander acted unreasonably. I have set out the basic facts of what happened in the background above. The branch manager found Mr R's behaviour to be unacceptable, and as a result a notice was issued closing Mr R's accounts after the expiration of 60 days. Whilst the notice did not specify a reason for the closure, Santander does not have to do so. However it is clear from the facts of the matter that this arose from Mr R's alleged behaviour on the day he visited the branch.

So whilst I understand Mr R disputes that his behaviour was unacceptable, I think it likely that the branch manager felt he had good reason to make the decision to close Mr R's accounts.

With regard to X's points:

I understand that Mr R was given a complaints reference over the telephone, I believe on 8 September. X says he was not written to within 3 days by Santander to explain that the investigation would take longer than that. This is set out in its complaints handling process. All I can say is that Santander's file notes that a formal acknowledgement was sent to Mr R by e-mail on 10 September.

Santander has explained that Mr R just didn't have the sort of account to allow a withdrawal of more than £300. I think it's reasonable to accept Santander's explanation in this respect. It's up to each branch as to how much cash it has available. I don't think it's reasonable to make any assumptions in that respect.

As for the branch manager's e-mail, this was dated 11 October 2023. The complaints process was closed by then following the final response letter of 2 October 2023. This particular e-mail was a reminder that the accounts would be closed on 4 November and to advise that provision should be made to move the accounts before then or that a cheque would be sent upon closure. I don't see this e-mail as being contentious and appeared to be consequent on the complaint process having finished.

As for CCTV evidence, I understand that the complaints handler didn't look at it as it showed other customers. In any event, I think it was reasonable to rely on the branch manager's statement so far as Santander's investigation was concerned. I think it unlikely that the

CCTV evidence would have helped, but I understand that it was overwritten after 28 days in any event. So it wouldn't have been available for us to review.

So overall having reviewed the evidence and X's concerns, I don't think that Santander acted unreasonably when closing the accounts. I would emphasise that this complaint concerns how the closure affected Mr R, as X's complaint about it has been dealt with separately.

My final decision

I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R and X to accept or reject my decision before 28 October 2024.

Ray Lawley
Ombudsman