

The complaint

Ms H complains that Santander UK Plc ('Santander') needs to do more to put things right after admitting to poor service in relation to two late payments that impacted on Ms H's credit file.

Also, she feels that there have been long standing failures on Santander's part to accommodate her disability as required by the Equality Act 2010.

What happened

Santander upheld Ms H's complaint that it failed to make two payments she'd instructed in branch to a service provider. This had resulted in a negative marker on Ms H's credit file. Santander apologised and paid Ms H £60 compensation for this poor service but did not supply what Ms H wanted in terms of paperwork for her to send to the services provider, which she hoped would lead to removal of the negative marker on her credit file. Santander said that its complaints advisor had correctly explained that it couldn't provide a letter from Santander's Chief Executive Officer, but that its final response would suffice for this purpose as it included confirmation that Santander had failed to action her payment requests in branch.

Santander didn't however agree that it hadn't made reasonable adjustments to its communications to reflect Ms H's special requirements. It said Santander no longer offered her preferred option of coloured paper and that it considered providing a coloured overlay instead was a suitable alternative.

Unhappy with this response, Ms H brought her complaint to the Financial Ombudsman Service. One of our investigators assessed the complaint and felt that Santander had responded fairly and reasonably overall to the complaint issues. Ms H disagreed, so the matter was referred for an ombudsman's decision and it comes to me to decide.

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 reviewed everything that Ms H and Santander have provided, I'm unable to say that Santander has acted unfairly or unreasonably towards Ms H. I will explain my reasons. In doing so, it may help to explain that we provide an informal complaint handling service. My role is to consider the evidence presented by the parties and reach an independent, fair and reasonable decision based on the facts of the case and the evidence provided by both sides. In doing so, I may not address every single point or question raised. But it doesn't mean I haven't considered the evidence and what's been said here – it just means I haven't needed to specifically refer to it in order to reach a decision in this case.

Missing payments and the credit file issue

Santander has accepted responsibility for what happened when it was responsible for two late payments. So I don't need to say more about this and the only issue for me to decide here is what it's fair and reasonable to expect Santander to do to put things right. Since raising this complaint with us, Santander has provided Ms H with a letter she could send to the service provider and also compensated her with an additional £75. I consider that's fair to reflect the extent and impact on Ms H of Santander's admitted poor service here. It's in line with what we'd tell a business to pay in similar circumstances and I don't require Santander to do more regarding this aspect of Ms H's complaint.

Making reasonable adjustments and providing a service that meets Ms H's needs.

Ms H complains that Santander has failed to make reasonable adjustments for her. In other words, it has failed in its duty to make reasonable adjustments under the Equality Act 2010. I've taken the Equality Act 2010 into account when deciding this complaint, given that it's relevant law, but I've ultimately decided this complaint based on what's fair and reasonable as I am required to do. I appreciate that Ms H has some long-standing concerns about the way she feels Santander treats her. But here, I'm just looking at what's happened since her earlier complaint was concluded and I'm concentrating on the specific issues she's complained about.

We asked Ms H for some further details to help us understand why she feels Santander keeps letting her down and leaves her feeling so unhappy and frustrated with the service it provides her. Whilst she hasn't provided specific answers to some of the questions we've asked, I do understand this might be difficult for her. I'd like to assure Ms H that I've carefully considered everything she has told us. But if Ms H wants a decision that Santander has breached the Equality Act 2010, then she will need to go to Court. Only a judge can say if Santander has acted unlawfully in this regard.

I can consider whether or not Santander has acted in a fair and reasonable way overall and look at the service it provided to Ms H. So this is the focus of my decision.

Ms H has described various ways in which she feels Santander's service towards her has fallen short of the customer experience she expects.

I understand that Ms H would prefer to receive correspondence on coloured paper and Santander used to offer this option. Santander has now offered instead to supply a coloured overlay to Ms H to help her read print on plain white paper – which is all Santander sends now, making this the only option it can offer. It has offered a range of overlay colour options. Whilst I accept this might not be Ms H's preference, on the face of it, I don't think that's unreasonable – this option seems to me to provide a broadly similar adjustment to text to assist her to read communications and Ms H hasn't said more about why this option doesn't work as well for her. I can't fairly say that Santander has failed to respond to a special consideration Ms H has raised. Santander has confirmed that since December 2021 notes have been in place on her record to ensure letters are formatted the way Ms H has requested and print size is adjusted to reflect her stated preference. We've asked Ms H about this – but I haven't been provided with anything to show that Santander hasn't been sending her letters in sufficiently large print as it says it has done.

Although Santander is required to provide reasonable adjustments to accommodate customers with disabilities, this isn't the same as providing Ms H with all her preferred options in exactly the way she may want them. Essentially it's up to Santander to decide what services it provides. Having considered what Ms H has said, I do appreciate why she's unhappy. But in the circumstances of this complaint, I can't fairly say that Santander is being

unreasonable or that it has done anything wrong, just because it no longer offers the option of coloured paper that would be Ms H's first choice.

Service Santander provided over the phone

I haven't seen enough to be able to say that Santander has treated Ms H unfairly or unreasonably when she's phoned. There's no specific requirement or expectation that Santander should necessarily share or confirm what customer information it holds at the start of a call. From what I can see, Santander has measures in place that ensure call handlers have access to all relevant customer information. How Santander uses that information can vary each time and might be different depending on the purpose of the call. But that's not a good enough reason for me to be able to uphold this part of Ms H's complaint.

Other service issues

I've taken into account Ms H's general concerns about some other areas where she feels Santander's service towards disabled customers has deteriorated – she's mentioned, by way of example, less welcoming branches, lack of seating, uncomfortable counter height, too few staff and no-one in branch being specifically tasked or trained to support customers with additional needs. We asked Ms H to tell us more information about her particular experiences in branch so we could better understand the context here and give proper consideration to any poor service issues that significantly impacted on her. Although Ms H hasn't expanded further, I've taken into account what she's said about this in general terms.

Ms H doesn't feel she's seen any real change as a result of the feedback she's provided to Santander over the years. Santander told us it collates and draws on customer feedback generally to develop and refine its service. I don't feel I can usefully add much to what our investigator has already said about this. How businesses choose to operate and the services they offer are matters that come under the oversight of the regulator - the Financial Conduct Authority (FCA). We've provided Ms H with links so she can provide feedback directly to the FCA if she wishes.

I appreciate how strongly Ms H feels about her complaint – and I am sorry for how her experience with Santander has left her feeling. But my remit is to look at the particular circumstances she's complained about and decide if Santander has treated her fairly and reasonably overall. And, on balance, despite what Ms H has said, I haven't seen enough overall to be able to say that Santander needs to do more here to put things right for her. Of course if Ms H feels she has further cause for complaint (that goes beyond the scope of the complaint she brought to us), then she should first tell Santander what her concerns are, so it has an opportunity to respond. If she still feels unhappy after that, she may be able to bring a new complaint to this service. I can't award redress for any complaint where the financial business hasn't first been given a chance to put things right.

I appreciate that my decision will be disappointing for Ms H. I hope that setting things out as I've done helps to explain how I've reached my conclusions.

My final decision

I am satisfied that Santander UK Plc has paid fair compensation for the distress and inconvenience its poor service caused Ms H so my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms H to accept or reject my decision before 28 February 2025.

Susan Webb
Ombudsman