

## **The complaint**

Mrs L complains that Santander UK Plc does not provide online access to her son, Mr L, so he can monitor her credit card account. Mr L holds a power of attorney (POA) for Mrs L and has made this complaint on her behalf. I'll mostly refer to Mr L for ease of reading.

## **What happened**

Mr L says he holds an online account that enables him to see his mother's accounts with Santander but it doesn't show her credit card. Mr L says that has progressively become more involved in his mother's finances as she's become more forgetful. At the time of his complaint, Mr L says his mother had been late making credit card payments on three occasions in the last 12 months, having always previously managed her credit card well. Mr L cannot reliably see the current balance of her credit card or ensure payments are made on time.

Mr L says he asked Santander to make the credit card visible to him online, but Santander does not allow him, as Mrs L's power of attorney, to manage and monitor the account effectively. Mr L says there is no logical or legal basis for Santander to not provide him this access. Mr L added his mother would not have incurred charges for late payments if he had been able to monitor her accounts and the charges were quite a large sum for someone on a limited income.

On 7 August 2024, Santander said there was a system restriction where people who hold a power of attorney are unable to view a credit card for another online using their own personal credentials. Santander said it had sent Mr L his mother's statements, which show her credit limit, available balance, minimum payment and the due date. Santander said Mrs L's statements could be paid by direct debit. Unhappy with this response, Mr L referred the complaint to this service.

One of our Investigators reviewed the complaint but didn't recommend it be upheld. Our Investigator explained our service cannot tell Santander to change its process – only the regulator, the Financial Conduct Authority, can direct Santander to change its policies or procedures. Our service looks at whether a business has followed its rules and procedures, and our Investigator was satisfied Santander has not made an error. Our Investigator said Santander had confirmed copies of the credit card statements are sent to Mr L, and Santander had also said it sent push messages about missed payments, payments due and due dates to the mobile number shared with Mr L.

In response, Mr L said he was not aware his mother had missed repayments until he received the following month's statements and had not received notifications on his phone. Mr L said Santander is preventing him from acting in accordance with his duties as a power of attorney. Mr L noted it was interesting to note Santander acknowledges its approach is under review and it is a system restriction, rather than a policy, that prevented him from accessing his mother's credit card online. Mr L asked why Santander would be reviewing its system restriction unless it already acknowledged a failing in its service. So, this has come to me for a 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.

Here, this complaint is about Mrs L's credit card account and whether it should provide online access to others, such as Mr L as her POA, to help her monitor her account. Whilst this complaint has been brought by Mr L on Mrs L's behalf, this is because it is her account and therefore is the consumer here who is eligible to make a complaint. Mr L is not the consumer here, so it is not my role to decide whether Santander has breached any obligations to him or whether it is preventing Mr L from fulfilling his obligations as a POA.

Mr L says Santander's review suggests it acknowledges a failing in its service. Whilst this access might be very useful for Mrs L and Mr L, as her POA, I've seen no evidence that suggests Santander is obliged to offer online access to Mrs L's credit card to her POAs. So, I cannot conclude Santander has made an error here. As our Investigator explained, only the regulator, the Financial Conduct Authority, has the power to tell Santander it must change its processes. So, I cannot compel Santander to change its systems to provide online access to allow him as a POA to monitor Mrs L's credit card account.

Having reviewed Mrs L's credit card transactions, it's clear she uses the account very regularly. Whilst Mr L may not have received text messages, it appears Santander is fulfilling its obligations to send the statements to Mrs L by post, in line with the terms and conditions of the account. Having reviewed Mrs L's statements, the monthly balance is generally paid in full, but it is sometimes paid late. There is no evidence to suggest any late payment fees or interest were charged incorrectly. So, I cannot conclude Santander made an error here or treated Mrs L unfairly.

I know Mr L says that late payment fees could have been avoided if he had online access to Mrs L's account. In response, Santander has said Mr L can access telephone banking or a direct debit could be set up to ensure payments are made on time. I think Santander has offered a solution that I think it is reasonable.

## **My final decision**

I realise my decision will disappoint Mr L, who has brought this complaint on Mrs L's behalf. But I've not upheld this complaint for the reasons explained above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs L to accept or reject my decision before 7 January 2025.

Victoria Blackwood

**Ombudsman**