

The complaint

Miss H has complained that Santander UK Plc (“Santander”) failed to set up Standing Orders for her multiple times.

Miss H has also complained about staff members accessing her account without her consent and she says that she is treated poorly by staff when she goes to branch.

What happened

Miss H attended a Santander branch on 4 October 2024 and set up a standing order that was due to be paid on a number of days, including 11 October 2024. Miss H says that the member of staff made a mistake as the payment was made twice on 11 October 2024.

Miss H says that a member of staff at the branch caused the error. Miss H says that the member of staff in question bullies other staff members and also treats her badly, is aggressive and makes her feel uncomfortable when she’s in branch. Miss H also says that the member of staff has accessed her account without her consent.

After raising her complaint, Santander issued its final response letter to Miss H’s complaint and didn’t uphold Miss H’s complaint.

After Miss H referred her complaint to this service, Santander offered to pay Miss H £50 for any distress or inconvenience that she may’ve experienced from her branch visit. But Miss H didn’t accept it. Santander then increased its offer to £70. One of our investigators then assessed the complaint and she concluded that what Santander had offered was reasonable in the circumstances.

As Miss H didn’t agree with the investigator’s assessment, the matter was referred for an ombudsman’s 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.

Having considered everything, I agree with the outcome reached by the investigator for broadly the same reasons. I will explain why.

Firstly, I note that Miss H has raised concerns that a member of staff at the Santander branch is harassing other staff members. Miss H’s concerns have been raised with Santander, and Santander has confirmed that a senior manager has reviewed matters internally. However, given that this specific issue is an internal matter for Santander to investigate and if necessary, resolve, and it doesn’t involve Miss H directly, I don’t think it is appropriate that I comment on that aspect of Miss H’s complaint in this decision.

In terms of the payments that Miss H has set up on her account, Santander acknowledge that it likely did make a mistake as the same amount of £20.50 was paid out to the same payee on 11 October 2024. Miss H has not said if this has caused her to suffer a financial

loss. For example, I don't know if it's simply been recorded as an overpayment on Miss H's account with the payee and so can be used to pay for future bills. But even if Miss H has suffered a loss because of it, I think Santander's offer is reasonable as it more than covers the amount that was sent in error.

Turning now to what Miss H has said about her experience of visiting the branch and her dislike of how a particular member of staff has treated her, I think it may help to explain that our service is unable to make findings on whether or not something constitutes discrimination under the Equality Act 2010. This is because this service is an informal alternative to the courts. If Miss H wants a finding as to whether or not how she's been treated in branch is a breach the Equality Act 2010, she will need to pursue it through the courts. This is because only a judge can give a formal decision on whether or not a piece of legislation has been breached.

All I can consider is whether or not Santander has acted in a fair and reasonable manner in this matter. Although, to do that, I will take into account a number of things - including the Equality Act 2010. And to help me decide this complaint, I have considered everything that has been provided – which includes Miss H's explanation of her branch visits.

Having considered the competing testimonies, I don't think I have enough evidence to safely conclude that Miss H has been treated badly. For example, Santander said that Miss H likes to be served by the same branch staff and will chat with them when they are setting up her payments. But Santander has said that this can take up to 20 minutes each time Miss H is in branch, which can cause queues to form. Santander has explained that this can become particularly problematic because there are only two counters in the branch in question. Because of this, I understand that Santander i.e. the member of staff in question, may have tried to speed up the processing of Miss H's payment instructions, or asked Miss H to move away from the counters to be helped on a separate desk. Given the need to balance all of its customer needs equally I don't think that this is unreasonable.

So whilst I accept that how Miss H says she has been treated could be true, I also can't rule out the possibility that Miss H has taken a dislike to the member of staff in question because they tried to speed up the processing of her payment instructions, which was something I understand she'd previously been able to do at a more leisurely pace. Nevertheless, Miss H has since met with a senior member of Santander management to discuss her concerns about this matter. The senior manager has explained that they'd discussed Miss H's concerns with the relevant branch staff (including the ones that Miss H said was being bullied). So I think that Santander has taken Miss H's concerns seriously and has taken reasonable steps to address those concerns with the members of branch staff.

In response to this complaint, Santander noticed that Miss H tends to provide regular payment instructions for the same amount to be paid out from her account, to the same organisation, on a weekly basis. To make things easier for Miss H, Santander has suggested that Miss H can set up a standing order for a set amount to be paid weekly, and Miss H can keep the standing order running for as long as it's necessary. By doing that, Miss H won't then need to provide payment instructions to Santander each and every time she wants to make the same weekly payment to the same organisation. Overall, I think Santander's suggestion does seem reasonable for Miss H circumstances, although of course it is up to Miss H whether she wants to do that or not. Should Miss H wish to do this, she will need to contact Santander directly to ask how she can set up a standing order that pays on weekly basis.

In terms of Miss H's concerns about Santander staff accessing her account without her consent, Santander has provided evidence of when Miss H's account has been accessed. And, like the investigator, I can't see that her account has been accessed without authorisation.

So in summary, whilst it is deeply concerning when a consumer says that members of staff at a financial business are harassing or discriminating against them, I've not seen enough in this complaint for me to conclude that is the case. It's clear that Santander has taken steps to reduce the amount of time it takes to process Miss H's payment instructions when she's in branch. And it's clear that Miss H has taken exception to this. But I can't say that is unreasonable, as Santander needs to balance the needs of dealing with Miss H's requests, alongside dealing promptly with the rest of the customers who may be in branch at the same time.

It's clear that an error was made with one of Miss H's payments, resulting in £20.50 being paid from her account incorrectly. So, in the circumstances, when weighing everything up, I think that the £70 Santander has offered to pay Miss H, alongside the other steps it has taken to try and resolve matters for Miss H, is fair and reasonable.

Putting things right

To put matters right Santander should pay Miss H £70, for setting up the incorrect payment from her account and the distress and inconvenience she may've experienced by this matter.

My final decision

Because of the reasons given above, I uphold this complaint and require Santander UK Plc to do what I have outlined above, to put matters right for Miss H, in full and final settlement of this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss H to accept or reject my decision before 1 May 2025.

Thomas White
Ombudsman