

## The complaint

Miss B complains about a secured loan she has with Santander UK Plc. She says this was taken out in joint names with her ex-partner, but without her consent. Miss B says she was unable to complain about the fraud to Santander without the loan documentation. Miss B is also unhappy that Santander has reported incorrect information on her credit file.

## What happened

A secured personal loan was taken out with a lender that has been taken over by Santander, in Miss B and her ex-partner's names in 2007. Miss B has said she was coerced into signing the application, it wasn't witnessed, and she never received any paperwork. She wants Santander to remove her name from the loan. Miss B has made a number of complaints about this and other issues since 2014.

In 2023, another Ombudsman made a decision that the complaint about the loan being taken fraudulently had been referred to our Service outside of our time limits. The Ombudsman said we could look into whether the decision to lend to Miss B had been irresponsible, but the final decision issued by that Ombudsman said it wasn't.

Miss B made another complaint in January 2024. She said her credit file had been linked to an address in which she had never lived. She also again complained that the loan shouldn't be linked to her as it was taken out fraudulently by her ex-partner. Santander agreed that there had been an error during a system migration process and Miss B's credit file shouldn't have been linked to her ex-partner's address. It apologised and offered Miss B £250 for the distress she had been caused. Santander said it had already addressed her concerns about the loan being taken out fraudulently. The final response gave Miss B six months to refer the complaint to our Service if she remained unhappy.

Santander responded to a further complaint from Miss B in May 2024. This time, Miss B had complained about her experience in a Santander branch in April when trying to again complain that the loan had been taken out fraudulently, and that her credit file now showed her ex-partner as a financial associate. Santander said its original response from January 2024 remained unchanged. It said the information she was given in branch was correct and while the joint account is active, she will be financially associated with the other party.

Miss B referred the complaint to us in September 2024. One of our Investigators thought the entire complaint was outside of our jurisdiction as it had been referred to us too late. Miss B didn't accept this and asked an Ombudsman to make a decision on whether we had the jurisdiction to consider this complaint.

An Ombudsman colleague issued a decision in January 2025. She said we wouldn't revisit a complaint about whether Miss B was liable for the loan or whether it had been arranged fraudulently as we'd already issued a decision on that matter. The Ombudsman said a complaint about Miss B's credit file being linked to her ex-partner's address doesn't fall within our jurisdiction due to the complaint being referred to us more than six months after Santander had issued its final response.

However, the Ombudsman decided the complaint about the service received when reporting an alleged fraud and Miss B's credit file showing her ex-partner as a financial associate did fall within our jurisdiction as it was referred to us in time.

The complaint was passed back to the Investigator to consider the merits of the complaint points that were referred to us in time. But the Investigator didn't think the complaint should be upheld. Miss B didn't accept this, reiterating the reasons why the loan was taken out fraudulently and that she shouldn't be responsible for it.

The complaint has now been passed to me to consider and make a final 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.

Another Ombudsman has already decided what complaint points we can and can't consider in this complaint. So this decision will only address the points that Ombudsman has decided were referred to us in time.

In addition to this, an Ombudsman on a previous complaint has decided that a complaint about the loan being taken out fraudulently was referred to us too late. And that same Ombudsman issued a final decision saying that the loan hadn't been lent irresponsibly. I won't be revisiting these points either.

As our Ombudsman set out in her decision about our jurisdiction, the complaint points we can consider are the service received when Miss B attempted to raise fraud in April 2024 and the fact that her credit file is showing her ex-partner as a financial associate. I've considered both of these complaint points.

Whilst I understand Miss B feels incredibly strongly about this matter, I find myself coming to the same conclusions as our Investigator, and for the same reasons, in that this complaint shouldn't be upheld.

Miss B has said she wasn't able to report the fraud in 2024 because she didn't have loan documentation. I can't agree this was the case. Santander has provided Miss B with the documentation it holds prior to 2024. And, I note Miss B has raised many complaints about the loan not being taken by her in 2014. Based on this, even if Miss B didn't have the loan documentation anymore, I can't see this would've been a barrier to making another complaint.

I can understand why Santander wouldn't have wanted Miss B to make this complaint again, given how many times she's previously raised it. But this isn't to do with a lack of documentation.

The other point we can consider is that Miss B says her ex-partner wasn't linked to her as a financial associate prior to 2024 and she now is. I don't know why Miss B wasn't linked to her ex-partner previously. It's possible this was to do with Santander or the credit reference agency. However, she is linked to her ex-partner by virtue of having a joint loan. So, I don't think it's wrong for this to be reported by Santander.

I'd add at this point that Miss B responded to our Investigator in significant detail, providing many supporting documents. However, the majority of Miss B's responses are in relation to the loan being taken out fraudulently. As I've explained, we won't be considering that again, and I have nothing further I can add in this regard.

In a recent response to our Investigator, Miss B has referred to matters that have occurred since she referred this complaint to our Service. This particular complaint was referred to us in September 2024. I am not able to consider anything that's happened since that date. That's because Miss B must first give Santander the chance to respond to the complaint before we can consider it.

I understand Miss B says she's been told that Santander won't accept any new complaints from Miss B. I'd remind Santander of its obligations under the FCA complaint handling rules, and its requirement to treat Miss B fairly. If Miss B does raise another complaint with Santander, she will need to wait until she either receives a final response referring her to our Service, or eight weeks have passed, and she will then be able to raise this with us.

I must however make clear though that any new complaint we set up will not be able to revisit complaint points we've previously considered or said were referred to us too late including whether the loan was taken fraudulently or not.

### **My final decision**

I'm aware of Miss B's strength of feeling about this complaint. And I am sorry to disappoint her, but my final decision is I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss B to accept or reject my decision before 2 February 2026.

Rob Deadman  
**Ombudsman**