

The complaint

Mr P complains that Santander Consumer (UK) Plc trading as Volvo Car Financial Services have an unfair fines administration process which doesn't give the driver an opportunity to dispute the fine.

What happened

Mr P was supplied with a car and entered into a hire agreement with Volvo in September 2020.

In August 2024 Mr P raised a complaint with Volvo. He was unhappy about the fines administration process because it didn't give the driver the opportunity to dispute the fine with the issuing authority. Mr P said he'd raised the issue several times over the years but was simply advised that this was the process.

Volvo didn't uphold the complaint. It said that on receipt of a fine or penalty charge notice from an issuing authority it paid the fine at the discounted rate and recharged this to the customer with an administration fee of £30 as per the terms of the agreement. Volvo said it had adopted this process to prevent costs from escalating further, and that it didn't affect the customers' ability to dispute the fine with the issuing authority.

Mr P remained unhappy and brought his complaint to this service.

Our investigator didn't uphold the complaint. She said she was satisfied that Volvo had acted in one with the terms of the agreement and that it had followed its process correctly.

Mr P didn't agree so I've been asked to review the complaint.

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.

I know it will disappoint Mr P, but I agree with the investigator's opinion. I'll explain why.

I've reviewed the terms and conditions of the agreement. The information in relation to fines and penalty charges is at Clause 5 and the information in relation to administrative charges is at Clause 18.

Mr P agreed to these terms and conditions when he signed the hire agreement.

Alongside the terms and conditions is the process that Volvo has put in place to administer fines and penalty charges. From what I understand of Mr P's complaint, it's this process which he feels is unfair. He says it prevents him from appealing fines.

This service can't ask a business to change its processes. But we can look at whether the process has been applied fairly. I've had this in mind when considering Mr P's complaint.

Volvo has provided a detailed explanation of its process in its final response letter. It says it will pay a fine from the issuing authority to prevent costs from escalating further. It has explained that it put this process in place because in the past, when it tried to notify customers of the fines incurred. It found that email requests weren't being actioned, and the cost of fines escalated, which led to customers being unhappy. In response to this Volvo changed its process to the process which is in place now.

There are certain circumstances where the fine isn't paid by Volvo – notably speeding fines or notifications from the police. Based on what I've seen, the process differentiates between civil and (potentially) criminal fines. I think this is a fair distinction to make because criminal fines can have more serious consequences for individuals than civil fines.

Volvo has also explained that the process doesn't prevent customers from disputing the fine with the issuing authority. It says it can send a link to the fine letter and a third-party permission letter, which will allow the customer to raise a dispute with the issuing authority. Volvo has further explained that it has an internal process for fines to be appealed and has said that it will credit any charges applied if it agrees with the information submitted.

I appreciate that Mr P doesn't think the process is fair. As I've explained above, this service can't ask Volvo to change the process. However, based on what I've seen, I'm satisfied that Volvo has applied its process fairly. There's no evidence that the process has been applied to Mr P in a different way to other customers.

My final decision

My final decision is that I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr P to accept or reject my decision before 4 November 2025.

Emma Davy
Ombudsman