

## **The complaint**

The estate of Mrs W complains that Santander UK Plc released funds to an unauthorised party following the passing of Mrs W.

The complaint is being brought on behalf of the estate by Ms W.

## **What happened**

Following the passing of Mrs W, Ms W went to Santander to register her death. Ms W says she was shocked to find that the account had already been closed by an estranged family member. Ms W says the family member was not named on the will and not authorised to act for the estate. Ms W raised a complaint with Santander.

Santander didn't uphold the complaint. It said its process was correctly followed and that the other family member had provided a signed indemnity form declaring they were the legal representative of Mrs W's estate. Santander said to overturn this, it would need to be provided with an overpowering document such as a Grant of Probate.

Ms W provided Santander with a copy of the will to Santander, but it confirmed it required sight of a Grant of Probate before it would release the funds to Ms W and seek to recover the funds from the other family member.

One of our Investigators looked into this complaint but was satisfied Santander hadn't acted unfairly. She said Santander had followed its processes, and now that there was a dispute, it was entitled to ask for the grant of probate.

Ms W didn't accept this. She said that Santander had released the funds too easily, and hadn't originally asked for a grant of probate. Ms W asked for the complaint to be considered by an Ombudsman. So, it's now with me to 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.

Santander has shown us that it followed its process before releasing the funds from Mrs W's account to the other family member. This involved obtaining a copy of the death certificate, ID for the family member and a signed indemnity form confirming they were authorised to act for the estate.

Santander says that it doesn't require a will or grant of probate in these circumstances as not everyone leaves a will, and a grant of probate isn't always required. I don't think there is anything unfair or unreasonable in this process of Santander's.

Now there's a dispute between who the funds should've been released to. Ultimately, this is between Ms W and the other family member. It's not for Santander to get involved in that dispute, nor is it for us either.

Santander has said that if it's provided a copy of the grant of probate, showing Ms W as the executor, it will release the funds to her and seek to recoup the funds from the other family member under the indemnity they signed. I don't consider this an unreasonable request. Given the fact that it's a small estate, obtaining a grant of probate shouldn't be difficult for Ms W.

I agree Santander could've been clearer when it asked for an "overpowering document" from Ms W. Santander should've explained that this meant obtaining a grant of probate. But it's since explained what is required from Ms W.

Whilst I understand why Ms W is frustrated, I don't consider Santander has acted unfairly in asking for the grant of probate. So, I'm not going to ask it to take any further action.

Once Ms W obtains the grant of probate, she should go back to Santander, and I'd expect it to assist her as it's said it will.

### **My final decision**

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask the estate of Mrs W to accept or reject my decision before 5 January 2026.

Rob Deadman  
**Ombudsman**