

complaint

Mr L complains that Santander UK plc failed to set up all of his direct debits when he transferred an account to it.

background

Mr L opened an account with Santander in 2010. He says he asked Santander to transfer all of his direct debits to it from his previous bank. He says all of the direct debits were successfully transferred apart from two.

Mr L says he became aware one of the direct debits, to a utility company, had not been set up when that company wrote to him. The other direct debit was to an insurance company. Mr L says he only became aware of the problem when he tried to make a claim on his policy. He was told the policy had been cancelled some years before as the company hadn't received payments.

Santander says the account was opened in 2010 but not as a switching account –which would've meant it would take over the existing direct debits. It doesn't accept making mistake.

Mr L complained to us and our adjudicator didn't uphold the complaint. She said she couldn't be sure which bank made a mistake. She also thought Mr L could've checked his account to see if the direct debits had been set up.

Mr L doesn't accept that view and says a mistake has been made which resulted in his insurance company initially refusing to consider his claim. He would like to be compensated for what has happened.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. Having done so I've come to the same overall conclusions as the adjudicator. I realise Mr L will be disappointed by my view.

I've looked at Santander's original account opening form which is dated March 2010. I can also see that the direct debits were set up to leave Mr L's account from November 2010. I think on balance that suggests the account wasn't set up as a switching account. But I can see from Santander's records that Mr L did give his previous bank authority to give Santander details of all his direct debits. I'm satisfied that its clear Mr L wanted to transfer all of his direct debits to his new Santander account.

I'm satisfied that a mistake has been made but I'm afraid I can't be sure who has made it. I can't be certain if Mr L's previous bank failed to provide Santander with information about all of the direct debits or that Santander failed to set up all of them.

I also can't be certain if the direct debit to the insurance company was cancelled by one of the banks or if the policy lapsed due to the direct debit not being set up.

I think that Mr L having realised the utility company direct debit hadn't been set up could've checked to make sure there wasn't a problem with any of the others.

I can see that the insurance company has now agreed to reinstate Mr L's policy.

my final decision

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

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr L to accept or reject my decision before 30 January 2017.

David Singh
ombudsman