

complaint

Mr C complains that Santander UK plc did not correctly register the Power of Attorney (POA) he holds for his mother.

our initial conclusions

The adjudicator recommended that the complaint should be upheld. Although Santander has now correctly recorded the POA, he concluded that it did not pay the £100 it had offered for the inconvenience caused. Following the adjudicator's intervention, Santander has now offered to pay Mr C £150. Mr C did not consider that this went far enough to compensate him for his time or the inconvenience he had been caused.

my final decision

To decide what is fair and reasonable in this complaint, I have considered everything that Mr C and Santander have provided. Having done so, I find that I have come to the same conclusions as the adjudicator did, for much the same reasons.

It is accepted by both parties that the problems with the registration of the POA have now been resolved. The remaining issue is the level of compensation. I am satisfied that Santander originally offered, and Mr C accepted, £100 as compensation for the inconvenience that he was caused. However, I find that Santander then changed its mind and paid him £60. Whilst I understand his frustration at the way his complaint has been handled, given the level of awards this Service generally makes for similar complaints, and in all the circumstances, I am not persuaded that an award exceeding £150 is warranted.

My final decision is that I uphold this complaint. In full and final settlement, I order Santander UK plc to pay Mr C £150.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr C either to accept or reject my decision before 2 July 2013.

Karen Wharton

ombudsman at the Financial Ombudsman Service

The ombudsman may complete this section where appropriate – adding comments or further explanations of particular relevance to the case.

ombudsman notes

what is a final decision?

- A final decision by an ombudsman is our last word on a complaint. We send the final decision at the same time to both sides – the consumer and the financial business.
- Our complaints process involves various stages. It gives both parties to the complaint the opportunity to tell us their side of the story, provide further information, and disagree with our earlier findings – before the ombudsman reviews the case and makes a final decision.
- A final decision is the end of our complaints process. This means the ombudsman will not be able to deal with any further correspondence about the merits of the complaint.

what happens next?

- A final decision only becomes legally binding on the financial business if the consumer accepts it. To do this, the consumer should sign and date the acceptance card we send with the final decision – and return it to us before the date set out in the decision.
- If the consumer accepts a final decision before the date set out in the decision we will tell the financial business – it will then have to comply promptly with any instructions set out by the ombudsman in the decision.
- If the consumer does not accept a final decision before the date set out in the decision, neither side will be legally bound by it.