

complaint

Mr B is unhappy with the charges Santander applied to his bank account. He wants Santander to refund them.

background

Mr B contacted us, via his representative Ms M, to say he's struggling financially and thinks Santander has been taking too much of his money. It's keeping him in debt. Mr B has dyslexia and struggles to manage his finances. When Ms M spoke to his bank for him, it only refunded £36. He wants more.

Santander looked at his account. It could see that Mr B regularly used his overdraft. But it wasn't aware until recently that Mr B was having difficulties. And it didn't know he has dyslexic. It refunded £36 of charges and said it could help him manage his account. But it wouldn't refund any earlier charges as Mr B didn't say he was having problems before.

Santander also explained it couldn't respond directly to Ms M until Mr B gave her authority to act on his behalf. This is important as banks need to protect their customers. But it explained what Mr B needs to do so Ms M can help him in the future.

Ms M thinks Santander is not being fair to Mr B. It's taking too much of his money. So she contacted us.

Our investigator looked into things. He couldn't see Mr B had contacted the bank about his problems until recently. And when he did, the bank refunded a month's charges. And it's offered to refund a further £18 now it understands the situation. So he didn't think Santander had acted unfairly.

Ms M, on behalf of Mr B, didn't agree. So she's asked for an ombudsman's final decision.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint, but based on what I've seen I think Santander has acted fairly.

Ms M contacted Santander to say Mr B was worried about money disappearing from his account. Although the bank couldn't respond to Ms M, it did contact Mr B directly. It refunded a month's charges and offered to refund another £18. And it's offered to help Mr B look at his finances to see if it can reduce his charges in the future.

I've looked carefully at Mr B's account. I can see the bank charges him a small monthly account fee. And it charges him £20 or more each month he goes overdrawn. These are in line with the terms of his account. And due to a Supreme Court ruling in 2009, customers can't complain about charges simply because they think they are too high. So I can't say Santander has done anything wrong.

Looking at Mr B's statement, I can see lots of cash withdrawals. These add up to a large amount of money each month. So I think this might be where the real problem is. I realise Mr B has dyslexia and his statements must be confusing. So it's hard to keep track of spending. But the bank charges seem a very small amount of his outgoings.

I can see Santander has tried to contact Mr B a few times. It might be able to offer him a different account with lower charges now that it knows about his difficulties. And it needs to make reasonable adjustments for his dyslexia so he can understand what is going on. And I can see that Ms M wants to help him manage his finances. Which is very kind of her. So if Mr B gets in touch with Santander he can begin to get his finances in order.

Santander has already refunded some of its charges. And it wants to help. So I hope Mr B is able to discuss things with his bank and get on top of his finances in the future. But I can't say Santander has done anything wrong, and I think it's acted fairly in the circumstances.

While I know this isn't the outcome Mr B was hoping for, I hope he can see why I've made this decision.

my final decision

For the reasons I've given above, I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 8 June 2017.

Andrew Mason
ombudsman