

## **complaint**

Mr K complains that Santander Consumer (UK) plc gave him wrong information about registration details of his vehicle. As a result he was put to inconvenience in trying to correct the matter.

## **background**

Mr K tells us he purchased a vehicle a couple of years ago on a conditional sale agreement. Earlier this year he says he received a letter from Santander - telling him that DVLA had advised it of a number plate transfer regarding his vehicle and notifying him of a £30 charge. Mr K says he hadn't authorised this - so he made enquiries with Santander and DVLA. As a result of these enquiries he says he found that a third party, E, was involved.

On calling E, he said it explained that it exchanged lists with Santander regarding changes to vehicle registrations. It was suggested to him that a backlog at Santander may have meant it was the previous owner's notification that was being processed - and that Mr K was informed, as he now owns the vehicle.

Although eventually the matter was resolved and the fee not applied Mr K says he isn't satisfied simply with an apology from Santander. He feels there's something wrong with its processes - and that's led to him being inconvenienced. He says Santander should've checked the information that E sent - before contacting him.

Santander tells us it receives notification from E of any change in the status of a vehicle in which it (Santander) has a financial interest. It says the source of E's information is the DVLA. It explained its processes mean an automated letter is sent out to the customer to tell them Santander is aware of the change. And the letter also notifies the £30 fee will be charged - in accordance with the terms and conditions of the agreement. It said when Mr K said he hadn't made any changes it had made enquiries. Following this, Mr K had been advised that he could disregard the letter and Santander said it hadn't charged a fee. It said it was unable to check the information provided by E as this was a system generated notification - and a letter is automatically sent to the customer.

Mr K wasn't satisfied and complained to us.

The investigator did not recommend the complaint should be upheld.

She explained that we don't have the power to tell a business how to operate. That was the responsibility of the financial regulator, the Financial Conduct Authority. As Santander's processes didn't include checking the information provided by E - before writing to customers - she couldn't say it had done anything wrong.

She also took into account that Santander had apologised to Mr K and not applied the charge. She thought this was a fair outcome.

Mr K wasn't satisfied with this, particularly as he felt Santander had misled him into believing the information had come from DVLA - when he believes it had come from E. He asked that an ombudsman make the 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.

I can understand why Mr K felt alarmed at receiving this letter - and thought it may indicate some fraudulent activity had taken place regarding his car. His analysis of the cause of the problem also seems to me to be accurate - namely that the letter to customers is generated before the details are checked. But as the investigator has explained - that's not something that this service can deal with. And so I accept Mr K is going to feel some dissatisfaction regarding the outcome of his complaint.

Whilst Mr K felt he was misled by Santander into believing the information came from the DVLA - rather than E - I can't agree with this interpretation. It's true that E processed the information to Santander - but its source was DVLA. And so I don't think it would be fair of me to conclude Santander had misled Mr K. Nor do I think a more detailed explanation of its administrative processes would necessarily have reduced any feelings of concern.

I understand Mr K feels that his experience is evidence of a fundamental defect in Santander's processes and that he isn't the only customer to complain of this. But I can only look at his individual complaint. And whilst I accept he was caused some inconvenience and concern, I think Santander did respond in a positive manner. It investigated his concerns and dealt with them in what I consider to be a reasonable timeframe. It's also apologised and given an explanation as to the cause of the issue.

I'm aware that Mr K doesn't think an apology alone is sufficient. But it's not every case - even if an error has been made - that requires an award of compensation. As I can't say that Santander's processes are wrong - it wouldn't be fair of me to find it was mistaken to follow them. In those circumstances I think its apology is a reasonable response to recognise the inconvenience inadvertently caused.

So whilst I know it will disappoint Mr K I agree with the view of the investigator - and for the same reasons - that this complaint should not be upheld.

### **my final decision**

For the reasons given above I'm not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 9 November 2017.

Stephen D Ross  
**ombudsman**