

## **complaint**

Miss M complains that Santander UK plc would not release money to her, despite having an agreement to do so.

## **background**

Miss M's account became overdrawn due to bank charges that Santander applied in July 2015. Miss M called Santander and the bank agreed that it would release her benefit payments to her on the understanding the charges would be paid off by 20 August 2015. However, when Miss M called Santander on 5 August 2015, it would not release all the money from her latest benefit payment.

Our adjudicator did not recommend the complaint should be upheld. He did not find Santander had made an error.

Miss M responded to say, in summary, that Santander had broken its agreement by not releasing the full amount of the benefit payment she'd received on 3 August 2015.

## **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 have seen Miss M's bank statements and, after her £190.19 benefit payment had been paid in on 3 August 2015, her balance was £123.83 due to the existing overdraft. I accept that Miss M had an agreement with Santander to enable her to access her full benefit payments and I have seen Santander's notes from the call on 9 July 2015 that confirm this.

Miss M called Santander on 5 August 2015 so it would release the full £190.19 benefit payment. However, Santander refused to do so because, it said, the existing overdraft was not as a result of the July bank charges.

Having looked at Miss M's outgoings since the agreement on 9 July 2015, I can see that the reason for the overdraft on 3 August 2015 is actually a number of card payments, rather than the charges that Santander applied. As the agreement was specifically in place to enable Miss M to pay off the overdraft caused by charges, I don't think Santander was unreasonable when it declined to release the extra money on 5 August 2015.

## **my final decision**

My decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss M to accept or reject my decision before 18 January 2016.

Amanda Williams

**ombudsman**