

## **complaint**

Mr F complains that Santander UK Plc has mis-managed his bank account. He said that when there are insufficient funds, sometimes direct debits are blocked, but sometimes they go through and he's been charged fees.

## **background**

Mr F has a direct debit with his phone provider which has been blocked by Santander on occasions due to lack of funds. He said that when this happens he contacts the provider and arranges the payment at a later date. He said that recently Santander has allowed direct debits to be taken despite there being insufficient funds, causing him to incur fees.

Mr F said Santander doesn't show pending charges on his account and payments don't come out until a number of days after the initial transaction. He wants all unplanned overdraft fees refunded in respect of the phone payment.

Santander said Mr F's account shows his available balance and his current balance, with the former reflecting pending transactions, and the latter showing the actual balance. It said transactions take time to process and don't appear on his statement until paid, so he should look at his available balance to know what he can actually spend.

The investigator said Santander provides tools to assist customers to manage their accounts including online, mobile and phone banking and customers can also use their own records. She said the charges are outlined in the terms and conditions of the account and have been found to be justified by the Supreme Court. She said Santander had previously refunded some charges to Mr F, and this was fair and she didn't recommend his complaint be upheld.

Mr F disagreed, saying he'd still had no explanation about the inconsistent approach to his direct debits. He requested an ombudsman review his complaint.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Mr F said the different treatment of his payments isn't his fault, and Santander isn't accurately reflecting pending payments. He said this means he spends funds he doesn't have and incurs charges.

I think Santander has provided accurate information about Mr F's transactions but some of these take time to be drawn from his account. Santander has explained that for some transactions it has to await the funds to be called by the merchant and this can take time.

In common with all banks, Santander can't guarantee that a direct debit will always be returned unpaid if there aren't sufficient funds in an account. This means it's very important to ensure the funds are available to cover payments that the customer makes. Customers need to use Santander's tools, which give 22 days' warning of any charges, and their own records to manage their accounts.

I think Mr F's account has been operated in accordance with the terms and conditions of the account and in common with the bank's normal handling of bank accounts. Our service can't

tell a bank how to operate its accounts but we can see if a mistake has been made or unfair treatment given. Having done so, I haven't found that Santander has acted in error or treated Mr F differently to other customers and so it wouldn't be fair for me to require it to act differently.

I sympathise with Mr F for finding his account difficult to manage. I understand that he has changed the date of his phone payment and is now working full-time. Hopefully this will mean the problem doesn't recur in future. Santander has offered to review his account with its Financial Assist Team to help with any difficulties. Mr F can contact Santander directly about this if he wishes.

### **my final decision**

For the reasons I have given it is my final decision that the complaint is not upheld.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr F to accept or reject my decision before 12 February 2018.

Andrew Fraser  
**ombudsman**