

## **complaint**

Mr M says Santander UK Plc hasn't treated him fairly, and he thinks this is on the basis of his surname. It misinformed him and prevented him accessing suitable and favourable banking facilities.

## **background**

Mr M says it's very difficult for him to get the same service and facilities other customers enjoy. He's told us about two specific incidents that illustrate this: a bank error when an overdraft charges cap had been agreed yet was denied when he called in; and the failure to recognise he'd asked for a choice account at the start of another call.

He's said he has to regularly call and complain to get the service or facilities he should. And he feels the bank didn't help him when he was trying to agree an affordable repayment plan for his overdraft. He says he's the victim of racial discrimination. And the bank has dismissed his claim of prejudice without proper investigation.

Our adjudicator didn't recommend the complaint should be upheld. She said:

- the calls she listened to showed no evidence of racial prejudice;
- the bank's actions when it withdrew Mr M's overdraft followed its standard processes and were reasonable;
- as were the options it gave him to repay the debt;
- the bank had made service errors on calls in the past (such as not seeing the cap on the overdraft charges) so it was right to apologise and compensate Mr M;
- after listening to the call about the switch to a choice account she didn't agree the bank had restricted his access to the upgrade, rather he'd decided he wanted to go into a branch to apply; and
- the initial error the adviser made on that call was corrected on the same call – with an apology and compensation.

So, in summary she couldn't see Santander had handled Mr M's account incorrectly. For the reasons listed above she didn't recommend the complaint should be upheld.

Mr M disagreed, saying the bank must be held accountable for acting inappropriately. He shouldn't have to fight for facilities others can access with no difficulties.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. Having done so, I've reached the same conclusion as the adjudicator and for the same reasons.

I know Mr M feels strongly about this but I haven't found any compelling evidence to change the proposed outcome. I can see that Mr M has had frequent contact with the bank and I accept it must've been stressful and distressing as he was trying to work through his

financial difficulties. I'm satisfied though that the bank met its obligation to treat him positively and sympathetically at this time.

The bank did make a couple of telephone service errors as our adjudicator said, and I note it also failed to forward his financial information email. However, it's acknowledged this and compensated Mr M fairly.

So, overall, I agree Mr M hasn't always received the level of customer service he's right to expect. And I understand it was hard for him when he was calling to understand his debt repayment options. But I can't agree that these issues evidence racial discrimination as Mr M suggests.

### **my final decision**

My decision is I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 20 June 2016.

Rebecca Connelley  
**ombudsman**