

complaint

Mrs D complains about fees that Santander UK Plc charged her when her account was overdrawn.

background

In March 2015 Mrs D realised that she had been charged £300 in fees on her current account. Mrs D had an arranged overdraft on her account of £50. When her account went over this amount Santander charged her unarranged overdraft fees. Mrs D had been getting online bank statements but didn't have access to a computer for a while. Mrs D thinks that Santander should have written to or rang her to tell her she was overdrawn.

When Mrs D complained to Santander it said that the fees were applied correctly but as a gesture of goodwill it would refund £12 of unarranged overdraft fees applied to her account in March 2015.

Our adjudicator didn't recommend that the complaint should be upheld. She thought that Santander's offer to refund the fees applied in March 2015 was fair and reasonable and that Santander didn't have to contact Mrs D each time she went overdrawn. Mrs D didn't agree and wanted an ombudsman to look into her case.

my findings

I have considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. Having done so, while I know Mrs D will be disappointed, I've reached the same overall conclusion as the adjudicator, and for much the same reasons.

I have looked at Mrs D's bank statements and the terms and conditions of her account. The fees appear to have been applied in line with the terms and conditions. So I can't order the bank to refund them.

I can appreciate that it might've been difficult for Mrs D to check her online statements when she didn't have access to a computer for a time. But she could've checked her account balance at an ATM or at a branch of Santander. Santander did write to Mrs D in March 2015 about the fees it charged her over the year, but I agree with our adjudicator that it didn't have to write to or ring Mrs D each time she went over her agreed overdraft limit.

It is unfortunate Mrs D found herself in this position but I hope she can work with Santander to avoid unarranged overdraft fees being applied to her account in future.

my final decision

My decision is that Santander UK Plc should refund Mrs D the £12 fees applied in March 2015, as it has already offered to.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs D to accept or reject my decision before 16 October 2015.

Michael Ranaghan
ombudsman