

complaint

Mr W complains that Santander UK Plc wrongly applied charges to his current account and did not suspend charges as agreed when it was investigating his complaint.

background

Charges were added to Mr W's account at the end of 2011 and in 2012 when it went overdrawn. He contacted Santander a number of times to question these. The bank said the charges were valid but refunded some and waived others, as gestures of goodwill, to a total of £420.

In October 2012 the overdraft facility on the account was withdrawn. Mr W incurred further charges. He complained and the bank told him that it would suspend charges while it looked into the complaint. Unfortunately the charges continued to be added.

Mr W was unhappy with the bank's response to his complaint and referred it to this service.

The bank has since refunded all the charges made after the removal of the overdraft facility – a sum of £205.

Our adjudicator felt that the refunds were reasonable. She said that the account charges were applied in line with the terms and conditions and the bank had not been obliged to refund them. Santander acknowledged that it made an error regarding the suspension of charges during the complaint and it had now made a refund.

Mr W disagreed with the adjudicator's conclusions. He said that the charges had been applied unlawfully and that pursuing the complaint had cost him time, money and stress. He also said the earlier refund of £420 had not been paid to him.

my findings

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

I am satisfied that Santander applied charges in line with the terms and conditions of the account and they were not unlawful. Despite this, it has made a series of refunds as gestures of goodwill.

There is no obligation on a bank to suspend charges while it investigates a complaint. However, the bank promised to do this when Mr W complained. It then made a mistake and continued charging, but it has now repaid all those charges.

As Santander has refunded the charges associated with its mistake and more besides, I do not believe it needs to pay any more compensation.

I have looked at Mr W's account records for the earlier period – before October 2012 – and I can confirm that the total of the charges actually refunded and waived was £420.

my final decision

My final decision is that Santander UK Plc has done enough to settle this complaint.

Colin Brown
ombudsman