

complaint

Mr P complaints about a letter he received from Santander UK Plc.

background

In 2018 Mr P received a letter from Santander. It was headed 'Important Information' in red. And it suggested Mr P call a telephone number or visit his branch to discuss it. But Mr P didn't think the letter applied to him - he didn't recognise the account it referred to. Mr P said it would be a long drive if he had to visit his branch. And he didn't have a passport or photocard licence to confirm his identity. So the whole trip would've been a waste of time. The letter didn't say how much the call would cost. So he was concerned it might be a scam.

Mr P said he had an account with Santander in the past. And he wondered if the letter was a ploy to sell more of its products to customers. He felt the onus should be on Santander to tell him about changes to its accounts – not for Mr P to have to call the bank. So he'd like an apology from Santander.

Santander confirmed the letter was genuine. It had written to customers with an everyday current account to confirm changes to the fee structure. It'd asked customers to contact the bank to make sure they were aware of the changes and to answer any questions they might have. Santander said Mr P had an everyday current account. He'd held it since 2009. However it accepted it'd made mistakes on his address on two occasions and apologised for the errors. Santander said the 0800 number was free to call and it had a duty to notify customers of any changes.

Mr P wasn't satisfied with Santander's response. So he contacted our service and our adjudicator looked into the matter. He could see Mr P thought his account had been closed by Santander in 2016 because it was inactive. But it seemed Santander had kept it open because some mail had been returned. He appreciated the concern the letter had caused Mr P. But he could see the bank had apologised and offered Mr P £75 for any distress and inconvenience. And he felt that was a fair response.

Mr P didn't agree. So he's asked for an ombudsman's final decision. He felt the tone of the letter and use of red lettering was alarmist. And he'd been informed his account would be closed in 2016. Mr P had received other correspondence about a different account. So why would this account have been marked with a returned mail flag when Santander was still contacting him about the other products he held.

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 can understand Mr P's concerns. He is right to be wary of unsolicited calls, letters and messages. And he's unhappy with the style and approach of Santander's letter about an account which he thought had been closed a few years earlier. So I've looked carefully at everything Mr P has said and the responses Santander has given. As our adjudicator has responded to a number of the issues raised, I will concentrate on the matters which are important to this decision.

The complaint arose because of a letter Mr P received from Santander. But it was about an account Mr P thought had been closed a few years ago. So I do understand Mr P's frustration about how this matter as evolved.

When Santander sent Mr P a letter in 2016 his account hadn't been used for some time. And the balance was only 10 pence. So Santander said it would be closing the account if it didn't hear anything from Mr P. And it would give the balance to charity. As Mr P has pointed out, that should have been the end of it. The letter had said 'if you're happy for us to do this, you don't need to do anything.' Mr P didn't respond so as far as he was concerned the account had been closed.

But Santander then placed a returned mail marker on the account. Something had gone wrong with the delivery of Mr P's correspondence. Santander couldn't be sure Mr P knew about the intended account closure - so it kept the account open. But it didn't send Mr P any more account statements because it wasn't sure about the address details. And it didn't want to send Mr P's statements to the wrong person.

When the overdraft fees were changed in 2018 Santander sent a letter to all of the customers who had that type of account. And Mr P received a letter which he found both confusing and alarmist. The letter was headed 'please call us about an important change to your current account'. And it used 'red type' which concerned Mr P.

I've looked at Santander's correspondence with Mr P. And I can understand how he must've felt. The letter was fairly generic. Mr P didn't even think he had an account any more, so why would he be concerned about important changes to it. And the letter didn't actually say what the changes were. It just asked Mr P to either call a number or visit his branch with some form of identification.

I can see Santander has corrected Mr P's address on its records. And it's explained that Mr P's other products are held on a different platform. So unfortunately it couldn't reference the returned mail against the address it had for his other Santander products.

Santander has said it will look at Mr P's comments to see if it can improve how it contacts customers. And I think that's a fair response. It's not the role of this service to tell banks how to run their businesses. That's the role of their regulator, the Financial Conduct Authority. But I agree it's important that banks are able to contact customers in a manner which clearly states what they are writing about, but in a way that doesn't show too much customer information in case the letter goes astray.

I'm sure Santander recognises that not every customer has a passport or driving licence. And banks provide a list of alternative documents they consider suitable to confirm a person's identity. But I do recognise the inconvenience Mr P faced having to visit a branch over 10 miles away – or call a number that didn't state the cost of doing so. And the letter didn't explain why Mr P actually needed to get in touch with Santander.

Mr P says he feels the tone of Santander's letter is too casual and also alarmist. It could've taken a different approach if it wanted to update him. And he feels it should be for Santander to tell him about important information – not to tell him to get in touch and find out what it is. But, as I've mentioned, it's not the role of this service to tell Santander how to run its business. Our role to see if Santander has made any mistakes - and if it has, what it needs to do to put things right.

Santander has explained the sequence of events that led to Mr P's account not being closed in 2016 and why that led to the confusion when it wrote to him again in 2018. And I've not seen anything to suggest Santander hasn't followed its procedures properly.

Santander has apologised for its mistakes. But I do think the bank should also compensate Mr P for the trouble and upset it's caused him. The bank has accepted it made mistakes on his address when writing to Mr P. And it's offered £75 compensation for any distress or inconvenience caused. Santander has also explained it no longer sends small balances to charity but it's happy to send him the remaining amount if Mr P still wishes to close the account.

I do understand Mr P's frustration. And why he feels Santander provided a poor service in not closing his account in 2016 – and then sending a generic letter in 2018 which caused him to worry it might be fraudulent. And I hope the bank will take note of Mr P's comments when contacting customers so that it doesn't cause unnecessary alarm.

But, based on everything I've seen, I think Santander's apology and offer of £75 compensation for any trouble and upset is fair and reasonable in the circumstances. And I won't be asking it to do anything more.

my final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr P to accept or reject my decision before 22 June 2019.

Andrew Mason
ombudsman