

complaint

Mrs A says Santander UK Plc failed to contact her about her account and as a result charges were incurred and a default was registered on her credit file.

background

Mrs A says she emailed Santander her new address details. She says that she was not able to access her account online and was not aware of the increasing bank charges and only knew about these after the account had defaulted and transferred to recovery agents.

Mrs A wants Santander to reduce the charges and remove the default.

Santander says the charges have been applied correctly. It says an email was received in 2014 from Mrs A to confirm her address was changing and it replied by email asking her to complete a change of details form in accordance with its terms and conditions. It says this email was read. It says no change of details form was received. Santander says that attempts were made to contact Mrs A by phone and letter, but no response was received and Mrs A accessed her account online in May 2015.

Our adjudicator didn't recommend the complaint should be upheld. He thought Santander's request for a change of details form and relevant ID was reasonable. He was satisfied that Mrs A knew she had an account with Santander and it was his opinion that it was reasonable for her to have made attempts to contact Santander to determine what balance if any, was outstanding.

Mrs A did not accept the adjudicator's view. She says that her email address can be accessed by other people and although she accepts she may have logged onto her account in 2015 she expected Santander to contact her and it did not.

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'm satisfied the bank responded to Mrs A's change of address request and the email it sent to Mrs A was read. Although Mrs A says that her account can be accessed by other people, this is the email address she provided and I find it was reasonable for Santander to use it.

I note that Mrs A accepts that she may have logged onto her account in May 2015. Until August 2015 Mrs A was making payments into her account to reduce her overdraft and it is clear that Mrs A knew she still had an open account. It is Mrs A's responsibility to manage her account.

I can understand how frustrating it must be for Mrs A if she has problems accessing online banking but I can't fairly hold Santander responsible for this. Mrs A says that it was difficult to visit a branch as she was caring for a relative but she could have written to Santander to tell them of her difficulties accessing her account and she did not do so.

I accept on balance that Santander tried to contact Mrs A by letter and phone. Unfortunately the letters would have gone to her previous address. Her phone number remained the same but the calls did not connect.

I am satisfied the charges were applied correctly and in line with the terms and conditions of the account. And Santander was entitled to make the decision it did and it followed the correct procedure. So I can't in these circumstances tell it to refund the charges or remove the default.

I am not persuaded that Santander has done anything wrong or acted unfairly.

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 Mrs A to accept or reject my decision before 5 December 2016.

Geraldine O'Donnell
ombudsman