

## **complaint**

Mr S complains that Santander UK Plc has given an incomplete response to a subject access request ("SAR") and refuses to respond to his complaint about this. He also asks that this service investigate all his unresolved complaints against Santander.

## **background**

Mr S complained to Santander that he made an SAR on 17 January 2012 with no response. Santander said it had not received the SAR but offered a goodwill payment of £50 which Mr S declined. A response was then apparently made which Mr S said had missing information about telephone calls. Santander said it had supplied 14 calls sent recorded delivery and signed for. It increased the goodwill offer to £250. On 9 April 2013 Mr S made a similar complaint and Santander replied that it had no record of a further SAR. It sent the data on 20 May 2013. In response to Mr S' complaint to this service that that data was incomplete, Santander offered a total goodwill payment of £265 of which it had paid £45, leaving £220.

The adjudicator explained that financial businesses set their own processes for the recording and storage of telephone calls and that this service was not a regulator and could not be prescriptive about it. She considered Santander's offer to be appropriate and did not recommend any further compensation.

The adjudicator also considered three of the unresolved complaints as follows:

- cancellation of direct debits: Santander had restored the position and brought the account back within its authorised limit. Overdraft fees had been correctly applied;
- cost of phone calls: Mr S had not supplied supporting statements and Santander had already credited call costs;
- charges: the adjudicator could not reasonably agree that Santander should have suspended charges on the account, which had not been placed into dispute.

Mr S responded that the adjudicator's assessment only dealt with certain areas and was not complete. He questioned why others had not been reviewed. There should be separate offers for each.

## **my findings**

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint.

Mr S' complaint to this service comprised one substantive complaint – the incomplete SAR response – and a request that this service "investigate all unresolved complaints I have with Santander". But I am not required to identify and deal with every complaint made by Mr S which had not been resolved to his satisfaction.

I consider the incomplete SAR response is the central issue in this complaint. Santander has offered compensation to Mr S for its handling of his SAR requests. I conclude Santander's offer to Mr S of £265 in total (of which £45 has been paid) for his costs and inconvenience is

fair and reasonable. I agree with the adjudicator's opinion on the three related - but unresolved - points, as set out in the background section of this decision.

**my final decision**

My decision is that I uphold this complaint in part. In full and final settlement I order Santander UK Plc to pay Mr S £220 compensation for costs and inconvenience.

Edward Callaghan  
**ombudsman**