

## **complaint**

Mrs K complains about the lack of support and communication she received from Santander UK Plc (Santander) with regard to her late father Mr P's current account.

## **background**

Santander contacted Mrs K in 2015 to inform her that her late father still had an open current account with a balance of around £200. When she received the account details it turned out that when Mr P died in 2009 his account balance was around £6,800.

The statements show that Mr P had been receiving weekly state pension benefits and had an outgoing standing order to a specific company every week for a similar amount.

Mr P's pension payments stopped after his death in 2009, however the outgoing standing order remained and each week money was transferred out. The account balance eventually went below zero in 2011 and Santander applied bank charges and overdraft charges to the account which they later refunded.

Mrs K asked Santander for more information about the recipient of the standing order and for an explanation about why the standing orders hadn't been stopped earlier. She sent three letters to different departments at Santander which she didn't receive an answer to.

Santander couldn't find a record of these letters, but acknowledged that they were sent and at least one of them must have been received as it was sent recorded delivery. They offered Mrs K £150 in recognition of the distress and inconvenience this caused.

Our investigator thought that Santander hadn't done anything wrong with regard to the standing orders or how they administered the account after Mr P passed away. She thought the offer of £150 for not responding to the letters was fair.

Mrs K didn't agree with her opinion and asked for an ombudsman's decision, so her complaint has been passed to me.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Santander say they were never officially informed that Mr P had died. The fact alone that his pension payments had stopped wouldn't have been enough to raise any concerns as Mr P could've decided to use a different account for his payments.

In 2012 Santander put a deceased marker on Mr P's account. They were unable to say what made them do this, but suggested that this could've been triggered by post being returned or someone letting them know informally. As no death certificate was provided the account couldn't be closed officially.

By this point the account already had a negative balance and no more money left the account by standing order. Santander refunded their own charges that had accumulated since the account had gone overdrawn.

In 2015 Santander did a project looking through accounts whose holders were marked as deceased. They instructed a third party to trace next of kin and eventually were able to get in touch with Mrs K.

I understand Mrs K has been unable to find out more information about the recipient of the standing order and so there seems to be no way to retrieve the money that was transferred out of the account after Mr P's death. I appreciate that this is frustrating and distressing for Mrs K.

However, I don't think that Santander is at fault here. They weren't informed about Mr P's death in 2009. And I don't think that there was enough indication for them to interfere with the outgoing standing order at that point. They put a deceased marker on the account and refunded all their charges as soon as they were put on notice that Mr P might've passed away in 2012. And I wouldn't expect them to actively trace any next of kin immediately, especially if they had no official confirmation that Mr P had passed away. So I don't think they've acted unreasonably.

I think it's disappointing that Santander didn't respond to Mrs K's letters in 2016 and that they can't explain what happened to those letters. However, mistakes do happen and Santander has offered some compensation to apologise. The amount they offered acknowledges that their errors added to Mrs K's distress in an already difficult situation and I think what they offered is fair in the circumstances.

### **my final decision**

I think that Santander's offer is fair and reasonable. My decision is that Santander UK Plc should pay Mrs K £150 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs K to accept or reject my decision before 20 July 2017.

Nina Walter  
**ombudsman**