

## **The complaint**

Ms C complained that Santander UK Plc registered a fraud prevention marker against her without due cause.

## **What happened**

In 2014 after Ms C applied for an account with Santander, they declined her application and referred her details to Cifas as they thought she had provided false documents. Ms C didn't become aware of the Cifas loading until June 2019 when her husband's car insurance company wrote to them to say they were taking her off the policy due to discovering a Cifas marker in her name.

Ms C complained to Santander, who maintained that they were correct in referring her details to Cifas. Ms C wasn't happy, so she brought her complaint to this service. Our investigator reviewed the evidence and felt there wasn't enough evidence to suggest Ms C had submitted fraudulent documents so asked Santander to remove the Cifas marker, which they accepted. She also recommended that Ms C be paid £350 in recognition of the distress and inconvenience the Cifas marker had caused her, which they agreed to do. But Ms C didn't agree as she felt this amount of money did not represent the distress and inconvenience she had suffered. So it has come to me to make a decision.

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, my review of the evidence has led me to the same overall conclusions as the investigator previously set out and for much the same reasons. I'll explain why.

As Santander agreed to remove the Cifas loading, I do not need to make a decision as to the loading itself. What remains in dispute is what represents a fair and reasonable payment in recognition of the distress and inconvenience Ms C suffered as a result of the Cifas loading. In order to determine this, I have thoroughly reviewed Ms C's testimony across the duration of her case and carefully considered the impact the loading had on her.

Whilst the Cifas marker was originally loaded in 2014, Ms C was not aware of it until her name was removed from her husband's car insurance policy in June 2019. So it appears that whilst the Cifas was loaded against Ms C for longer, the impact on her began in June 2019. From reviewing the evidence and Ms C's testimony it does appear to have caused her husband's insurers to remove her from the policy meaning that she could not drive their car for around seven months before we asked them to remove the Cifas loading. As a result she had to rely on her husband to drive her places or use public transport. I have noted Ms C found ways to travel and complete necessary tasks out of the house, but I can see how not being able to drive herself to do so would have caused her inconvenience.

Ms C also explained the Cifas marker had caused her severe embarrassment and distress. She is a retired professional and was concerned that this could have ruined her reputation, and noted that had she been employed at the time she could have lost her employment. Fortunately as she didn't tell anyone outside of her immediate family, there is no risk that her

professional reputation would have been damaged by this. Previous employers or colleagues would not have known of the Cifas marker, and the Cifas marker has now been removed so I cannot say that this has damaged her professional reputation in any way. But I understand that she felt distressed over this period, and I am sorry to read about this.

### **Putting things right**

I am sorry as I know she will be disappointed to read this, but having considered the available evidence I am satisfied that £350 is a suitable amount to pay in reflection of the distress and inconvenience caused to Ms C.

### **My final decision**

My final decision is that Santander should pay Ms C £350 for the distress and inconvenience they caused Ms C, minus any they may have already paid her from this amount.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms C to accept or reject my decision before 23 December 2020.

Katherine Jones  
**Ombudsman**