

## **The complaint**

Miss B has complained that Nationwide Building Society (Nationwide) incorrectly recorded her address with a credit reference agency and sent correspondence addressed to her to those incorrect addresses. To settle the complaint Miss B is asking for compensation of £4,000 and evidence that Nationwide asked the credit reference agency to remove the incorrect information.

## **What happened**

This complaint concerns the incorrect registration of Miss B's address. In order to preserve Miss B's anonymity, I will keep my summary of the complaint very brief.

Miss B is a mortgage customer of Nationwide and her complaint is about mistakes made by Nationwide in registering information with credit reference agencies. Miss B had first raised her concerns about this with Nationwide in September 2018, when Nationwide admitted it had made an error and offered compensation of £300 for its mistake. In November 2019 Miss B contacted Nationwide again because she'd learned that incorrect information was still showing in her credit file.

In December 2019 Nationwide contacted one of the credit reference agencies (TransUnion) and asked for two incorrect addresses registered against Miss B's name to be removed. Nationwide considered that this resolved the matter and offered Miss B a further £75 compensation, which Miss B rejected.

Unhappy with Nationwide's response, Miss B brought her complaint to the Financial Ombudsman Service. An investigator looked at the complaint. He thought that the issue did not appear to have been resolved with the credit reference agencies and in March 2020 he asked Nationwide to pay further compensation of £375 – so £750 in total. He also asked Nationwide to provide evidence that her address information had been amended.

Nationwide didn't agree with the investigator's findings. It explained that it didn't think Miss B had been caused any detriment by the incorrect registration of her address. Nationwide also said that correspondence sent to another address had Miss B's name on it, so Nationwide can't say if anyone opened it. Nationwide said that the credit reference agencies it had access to showed Miss B's address as now being correct.

Nationwide asked for the matter to be reviewed by an ombudsman as it didn't think it should have to pay any further compensation.

## **What I've decided – and why**

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

What's happened isn't in dispute here – Nationwide accepts that it incorrectly recorded two addresses for Miss B. But Nationwide says that it contacted the TransUnion to correct this. Miss B says that the matter was not resolved even though Nationwide claimed it was.

After bringing her complaint to the Financial Ombudsman Service, Miss B also lodged a complaint with the Information Commissioner's Office (ICO).

On 28 May 2020, after reviewing Miss B's credit file, the Information Commissioner upheld Miss B's complaint. The ICO made the following findings:

*"I am of the view that Nationwide have not complied with their data protection obligations. This is because they have failed to rectify inaccurate data recorded on your credit file... I have now written to Nationwide about this matter informing them of our view ... I have also advised them of the steps they need to take to prevent this from happening again and reminded them of the need to ensure that if they have agreed that data is inaccurate, they instruct the credit reference agencies to remove it. As it appears that this did not happen in the case of TransUnion they need to establish why it remained on your credit file after they told you it would be removed. I have also asked them to contact TransUnion (if they have not already done so) to get the inaccurate addresses removed from your file..."*

The ICO made findings of fact that Nationwide had not, by 28 May 2020, resolved the matter. In the circumstances, I am entitled to treat the ICO's findings as true and accurate,.

I've seen the email exchange with Nationwide and TransUnion from December 2019. Nationwide asks for two addresses for Miss B to be removed from TransUnion's records. In reply, TransUnion confirms that the address link has been removed and also says *"Please ensure that any related data is changed on your monthly submissions to ensure that our correction is not overridden..."*.

I don't know if Nationwide changed the information on its monthly submissions. But given that by 28 May 2020 the ICO needed to write to Nationwide to tell it to change the information it was recorded, it is reasonable to assume it had not. I note that this is two months after the investigator issued his findings on the complaint in March 2020.

### **Putting things right**

In the circumstances, I agree with the investigator that a further payment for trouble and upset – over and above the £375 already paid – should be made. I think a further £375 is fair and reasonable and is proportionate to the errors made and the impact on Miss B.

I appreciate Miss B wants substantially more compensation, but I am not persuaded that she has suffered any financial detriment and so a total payment of £750 is fair in my opinion for the distress and inconvenience caused by Nationwide.

Miss B tells us that she didn't cash the cheque for £75 sent in late 2019. If that cheque has expired, then Nationwide should cancel it and include the additional £75 on top of the additional £375 I am ordering Nationwide to pay to Miss B, if she accepts this final decision.

### **My final decision**

My final decision is that I uphold this complaint. In full and final settlement Nationwide Building Society must pay Miss B a total of £750 compensation – including £375 already paid (and with the proviso above regarding the cheque for £75 sent in 2019). I make no other order or award.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss B to accept or reject my decision before 2 December 2020.

Jan O'Leary  
**Ombudsman**