

The complaint

Mr K complains that Tesco Personal Finance PLC trading as Tesco Bank has unfairly recorded a marker at CIFAS the national fraud database.

What happened

Mr K applied for a credit card from Tesco Bank which was declined. He complained that Tesco Bank had added the marker. It told him that it couldn't go into the specifics. Mr K obtained an extract of the information reported to CIFAS which set out the reason why the fraud marker had been added. And he remained unhappy about this as he said it was incorrect.

Our investigator didn't recommend that the complaint be upheld. He said that he was satisfied that the information Mr K had provided on his application was inconsistent with checks Tesco Bank had made. So, it had grounds to apply the marker.

Mr K didn't agree and said that we'd been unfair and biased and hadn't carried out a proper investigation. The CIFAS marker was affecting his ability to get an account elsewhere and obtain employment or be paid benefits.

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.

I need to consider whether the report to CIFAS was made fairly. On this point, Tesco Bank needs to have more than a suspicion or concern. It has to show it had reasonable grounds to believe that a fraud or financial crime had been committed or attempted and that the evidence would support this being reported to the authorities.

I've looked at all the information that's been provided by Tesco Bank. It's documented that it spoke to Mr K about his application at the time to confirm that all the details were correct and complete. Mr K has provided to the service a summary of his clear credit score from one provider and a copy of his passport confirming his identity.

Our investigator has explained to Mr K that Tesco Bank will make a wide range of checks about the information in the application and as CIFAS stated in response to Mr K about any other addresses he's been connected with. I wouldn't expect Tesco Bank to disclose that information to him. I've carried out an independent review of all the information and the comments made by Mr K. I'm afraid having done so I'm satisfied that Tesco Bank had grounds to meet the high bar for adding the CIFAS marker as it decided that Mr K hadn't disclosed relevant information to his application for a credit card.

So, I know Mr K is going to be disappointed when I say that I won't be asking Tesco Bank to do anything given what he's said about the impact the marker is having for him.

My final decision

My decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 11 January 2021.

Michael Crewe
Ombudsman