

The complaint

Mr G complains about the way that a training course, provided by Menage Pantano Limited, trading as New Trades Career, was sold to him.

What happened

Mr G registered for a training course in September 2019 and he entered into a fixed sum loan agreement with a finance company to pay for the course. He complained that the course had been mis-sold to him and that he'd been told that a credit check wouldn't be made and that the loan was government funded.

Our investigator explained that this service couldn't consider his complaint that the course was mis-sold to him. Mr G has since made a complaint against the finance company that the course was mis-sold to him – and that complaint is being dealt with separately. He thought that the paperwork was clear enough that Mr G should have been aware that a credit check would be completed and he didn't think that New Trades Career had done anything wrong in the credit broking of Mr G's loan agreement. He also provided Mr G with a copy of the student status credit application form that had been signed by Mr G and which had been provided by the finance company.

Mr G has asked for his complaint to be considered by an ombudsman. He says, in summary, that he was assured that no "hard" credit search would be undertaken and it would only be a "soft" search to prove his name and address.

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.

Having done so, I agree with the conclusions reached by the investigator for these reasons:

- our investigator has correctly explained that this service can only consider Mr G's complaint about New Trades Career to the extent that it relates to credit broking – so I'm unable to consider his complaint that the course was mis-sold (I can see that he's made a complaint against the finance company that the course was mis-sold to him – and that complaint is being dealt with separately);
- Mr G signed a registration form, an affordability assessment and student status application form and a fixed sum loan agreement in September 2019;
- the student status application form says: *"We ... will propose your personal details to our panel of lenders ... In considering whether to enter into a credit agreement with you, they will search your records at Credit Reference Agencies. They will add to their record about you, details of their search and application and this will be seen by other organisations that make searches. The proposed lender will be supplied with public information ... and any shared credit and fraud prevention information about you"*;

- two lenders from its panel were named on the form and Mr L entered into a fixed sum loan agreement with one of them – Mr G says that he was told that it was a government funded loan but I consider that it was clear from the loan agreement that it was the finance company that was making the loan to him, the loan was interest free and there's nothing in the loan agreement to show that it was a government funded loan;
- Mr G says that he was told that a credit search wouldn't be made but he signed the student status application form which described the credit searches that were to be made and how his information would be used;
- I'm not persuaded that there's enough evidence to show that New Trades Career told him that a credit search wouldn't be made and I consider that he ought reasonably to have known that a credit search was going to be made before the loan was made to him;
- I don't consider that Mr G has provided enough evidence to show that New Trades Career has dealt with the credit broking for his loan incorrectly; and
- I find that it wouldn't be fair or reasonable in these circumstances for me to require New Trades Career to arrange for the loan agreement to be removed from his credit file, to pay him any compensation or to take any other action in response to his complaint.

My final decision

My decision is that I don't uphold Mr G's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr G to accept or reject my decision before 16 July 2021.

Jarrold Hastings

Ombudsman