

The complaint

Miss M complains that her account with Telefonica UK Limited was passed to a debt collection agency.

What happened

I issued a provisional decision on this complaint. Briefly, I said that although Telefonica could have been clearer in the information it provided to Miss M about her account and should pay compensation for trouble and upset because of the poor advice, I didn't think the debt should be written off because Miss M had missed payments on her account.

I invited Miss M and Telefonica to let me have any further evidence of arguments they wished to make before I finally determined the matter.

Miss M said she agreed with the compensation I had awarded but wanted the debt to be written off and for it to show as settled on her credit file.

Telefonica replied and said it agreed with my provisional decision.

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've thought about whether the debt should be written off and Miss M's credit file amended as per her request. However, and as I said in my provisional decision, I'm not persuaded that the debt should be written off, because Miss M has missed payments on the account long before Telefonica gave the misleading advice. It follows that the credit file shouldn't be amended, because the debt still exists, and I don't think Telefonica has acted unfairly in pursuing it.

Putting things right

For these reasons – as well as those set out in more detail in my provisional decision - my view remains the same as set out in my provisional decision.

My final decision

My final decision is that I uphold the complaint. Telefonica should pay Miss M compensation of £100 for the trouble and upset caused by the poor advice.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss M to accept or reject my decision before 6 February 2021.

Emma Davy
Ombudsman