

The complaint

Mr H complains that Bank of Scotland plc has given him misleading information about a debt.

What happened

Mr H says Bank of Scotland has given him misleading information about a debt and who owns it. He says he received a cheque for £50 but without a clear explanation about what it was for. Mr H says he called Bank of Scotland and it told him it had bought his debt back from a third-party business. He says he has no idea if he owes money and or to whom.

Bank of Scotland says it doesn't have a record of giving Mr H misleading information and has paid him £50 as a gesture of goodwill. It says it wrote to Mr H in 2015 to tell him it had sold his debt to a third-party business and that company owns the debt. It also says that company also wrote to Mr H to tell him it bought the debt and how much was owed.

Mr H had brought his complaint to us and our investigator didn't uphold the complaint. The investigator thought Bank of Scotland and the third-party business had both written to Mr H with information about the loan and how much was owed. The investigator thought if Mr H had been given misleading information by the third-party business then he would need to raise that with it.

Mr H doesn't accept that view and says he didn't receive the letters in 2015 and maintains he was told the loan had been bought back.

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 have come to the overall view that I don't uphold this complaint.

I have looked at the letters sent to Mr H by Bank of Scotland and the third-party business in 2015. I'm satisfied that they both make clear that the debt was sold, and the amount owed was just over £3,419. I appreciate Mr H says he didn't receive those letters. But I'm satisfied they were sent, and I can't fairly hold Bank of Scotland responsible for the safe delivery of the mail or if an old address had been used if Mr H didn't update it.

I have not seen any evidence that Bank of Scotland has bought the debt back or that it told Mr H that. If Mr H was told by the third-party business the debt had been bought back, then he will need to raise that issue with that business. In any event I don't think it is a significant issue as it seems Mr H does now know how much he owes and hasn't made any repayments since 2015 to either business.

Overall, I can't fairly hold Bank of Scotland responsible for any incorrect information a separate business may have given Mr H. I'm satisfied Bank of Scotland has told us it doesn't

own the debt and that it's acted fairly by paying a gesture of goodwill payment in circumstances where I don't think there is any evidence of a mistake.

My final decision

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 12 May 2021.

David Singh
Ombudsman