

The complaint

Mr S has complained about the way in which PRA Group (UK) Limited have contacted him to collect a debt.

What happened

This complaint is about a consumer credit debt that was sold to PRA Group.

In September 2020, PRA Group spoke with Mr S. He explained he was in difficulties and was not in a position to make repayments. So PRA Group agreed to put the account on hold for 90 days and then get back in touch after that to see if things had changed.

In December 2020, PRA Group resumed trying to get in touch with Mr S, primarily by email and text message. They didn't get a response. In March 2021, it's recorded that Mr S unsubscribed his email address, so PRA Group tried getting in touch primarily by phone instead. The calls were not answered.

In June 2021, Mr S called PRA Group and explained he was struggling in regard to his mental health and their calls were making things worse, though he was not able to discuss further details about his condition at that point. He explained he felt harassed by PRA Group's calls and would prefer contact to be by email only from then on.

PRA Group agreed to remove Mr S's phone number from their systems and to only contact him by email as he'd prefer. They also transferred his account to a specialised support team in view of his mental health situation. They said they were sorry he'd felt harassed and that wasn't their intention. They said they were trying to work with him to understand his situation and find a sustainable way forward.

Our investigator looked into things independently and didn't uphold the complaint. While they understood Mr S's perspective and how difficult things had been for him, they hadn't found PRA Group's contact to be excessive. They explained PRA Group had a genuine reason to contact him about a debt he owed. They found that PRA Group had acted appropriately in putting things on hold at first, and then in changing the way they communicated when Mr S made them aware of the stress that phone calls caused for him.

Mr S didn't agree. He said PRA Group had phoned him at all hours of the day and, taking into account his mental health situation, it amounted to harassment. He asked for an ombudsman to look at things afresh, so the complaint's been passed to me to decide.

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.

First, I understand that Mr S has been going through a truly tough time, and so I appreciate where he's coming from, and I appreciate that he wouldn't want to add to his already considerable stresses.

PRA Group were collecting a genuine account, so they did have a genuine reason to be contacting Mr S. But I've thought carefully about the way in which they contacted him, especially in regard to what they knew about his mental health situation. I've gone through the full log of the contact between PRA Group and Mr S.

When Mr S first let PRA Group know he was struggling, they agreed to put things on hold for a fair amount of time, giving him some breathing space. And that seems like a reasonable thing to do. They explained they'd get back in touch after this to review his situation, which they then did.

At first, PRA Group contacted Mr S by email and text message. And looking at the content of such messages, they seem to have been reasonable. For example, PRA Group said that they wanted to make sure Mr S was aware of his options, that they could set up affordable and flexible repayment plans even for low amounts, and that Mr S could get in touch with them in a number of different ways if he'd like to chat.

It looks like PRA Group received a request to unsubscribe Mr S's email address, so they then tried phoning him – which seems reasonable. At that point, Mr S had not yet asked them to not phone him, and had not yet explained that he found these calls distressing. And again, PRA Group did have a genuine reason to be getting in touch with Mr S.

During this period, PRA Group did call Mr S quite often. But looking at all the call attempts involved, these were at reasonable hours, and I don't think they were so often that I'd consider them excessive. And by then, PRA Group hadn't heard from Mr S in half a year.

Once Mr S made it clear to PRA Group that the phone calls were causing him distress, they removed his phone number from their systems, apologised, agreed to stop calling him, checked which method of contact he'd prefer and agreed to stick to it, and transferred his account to a specialist support team. And that seems reasonable to me. Since then, I can see that PRA Group have indeed stopped calling Mr S and have substantially reduced how often they contact him in general.

So while I do understand that Mr S found this matter most distressing – particularly in view of his mental health situation – I think that PRA Group have already acted appropriately to put things right once they became aware of how this was affecting him.

I hope I can also reassure Mr S that when it comes to repaying the debt, PRA Group have a duty to treat him fairly. So any repayments should be based on what he can actually afford, and if he's in financial difficulties then I'd expect PRA Group to deal with such issues positively and sympathetically. PRA Group have said there are a number of options they can explore to deal with Mr S's debt – which may even include stopping all collection. But it will depend on his full situation, so Mr S may want to get back in touch with PRA Group to go through his circumstances and see what assistance they can give him. I'll also send Mr S the details for charities who give free help and advice about dealing with debts. And Mr S can always get back in touch with us for a new case if he later feels that PRA Group aren't taking his situation into account when working out how to deal with the debt.

But as things stand, I don't think PRA Group have done anything substantially wrong in this particular case.

My final decision

For the reasons I've explained, I don't uphold Mr S's complaint in this case.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 22 November 2021.

Adam Charles
Ombudsman