

The complaint

Ms W complains that Vanquis Bank Limited (Vanquis) disclosed her personal information.

What happened

Ms W had a Vanquis card account since 2013. It was set up using her company mobile number. In February 2019, Ms W asked Vanquis to stop using that number. Again, in October 2020 and December 2020, she asked the same thing. Vanquis changed the contact number in May 2021.

Ms W complained. She asked Vanquis several times to change her number by which they contacted her, but they didn't. As a result, a lot of personal information had been texted to her company mobile number – which was also used by other people. She didn't feel able to change jobs within her company – as the new people in her old job would see the information. When Ms W complained to Vanquis, they took a long time to respond to her complaint. And – after they said they'd paid compensation of £125, it wasn't credited to her account.

Vanquis said that they hadn't updated their system due to a systems error. They apologised and paid compensation of £75. They also admitted that they hadn't dealt with Ms W's complaint as quickly as they should have and paid a further £50 for that. Later, during our investigation, they agreed to pay another £125.

Ms W brought her complaint to us. Our investigator said that Vanquis were advised in February 2019 to change Ms W's contact number. But didn't until May 2021. In that time, a lot of text messages had been sent. Some contained personal information such as the outstanding balance, and amount to be paid – but also over limit advices and the amount that needed to be paid. The issue went on for over two years and therefore – the amount of compensation should be increased by a further £250 – making a total of £325.

Vanquis agreed with the investigator, but Ms W didn't. She said that more compensation should be paid – as this went on for over two years. She asked that an ombudsman look at her complaint.

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 can see from Vanquis' records - that Ms W originally raised this issue with Vanquis in February 2019. And again, she contacted them again about it in October 2020 and then in December 2020, and finally in January 2021. Vanquis apologised and said that due to systems problems, the matter wasn't put right when it should've been.

So - it's clear that as a result, Ms W's personal data was disclosed. I've seen that on most occasions, monthly texts were sent to say that her statement was available to view – but this also showed the minimum payment needed. On other occasions, the texts advised she was

over her limit – and that a payment was needed, and how much that was.

We asked Ms W what the impact of this was. She told us that the phone was available to be used by others in her department – so they could see her information. And because she felt she couldn't delete the texts – because she needed evidence for her complaint - this also prevented her from moving jobs. This was because she would have to leave the phone for her replacement to use and see. I can see that all this this must have been concerning for her.

There's no doubt that Ms W has been impacted here – and suffered distress in knowing that her account details were available for others to see; and inconvenience – as she had to make repeated requests to Vanquis to sort things out. So - this comes down to how much compensation she should receive for this. I can appreciate what happened was a concern for her, and that she needed to contact Vanquis several times over a long period to sort things out. But equally I haven't seen that there was a serious consequence of what happened – for example, an action resulting at her work. So, I must take that into consideration also.

Vanquis apologised and paid compensation of £75 and agreed with our investigator to pay a further £250 – so a total of £325. The matter of compensation is a subjective one, and I've considered what's the right amount that Ms W should be paid. Our service says that where there have been repeated, but small mistakes – which haven't been sorted out - then compensation might be up to approximately £300. I think that what happened here falls into that bracket. And so – I think that the compensation of £325 is right here. In addition, Vanquis paid £50 to Ms W for not dealing with her complaint within the timescales they should have.

Putting things right

Vanquis have already paid compensation of £75. And they should therefore pay a further £250 to Ms W. This should be paid to Ms W's bank account (and not to her Vanquis account) if she wishes. I note also that Ms W has also received compensation of £50 for delays in dealing with her complaint.

(continued)

My final decision

I uphold this complaint. Vanquis Bank Limited must:

- Pay compensation of £250 for distress and inconvenience, to an account to be nominated by Ms W. This is in addition to the £75 already paid.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms W to accept or reject my decision before 3 December 2021.

Martin Lord
Ombudsman