

The complaint

Mr K has complained about Experian Limited suggesting his address to debt collectors when they were tracing someone.

What happened

Both parties are most familiar with what happened, so I will summarise things in brief.

This complaint revolves around a utility bill which two debt collection agencies wrote to Mr K about – one in 2020, and one in 2021.

The bill was registered to someone with the same name as Mr K, at a former address of his. Mr K says that when he spoke to the debt collectors, it emerged this was a different person's bill and he just happened to share some of the same details with this other person.

The debt collectors had found Mr K's current address when they ran traces with Experian. Mr K feels Experian were wrong to give out his address. He would like an apology, £5,000 in compensation, and for Experian to never pass on his details again unless they're 100% sure the account relates to him.

Our investigator looked into things independently and didn't uphold the complaint. They explained that as part of the trace process, Experian just suggested potential matches and it was up to the debt collectors to check they were chasing the right person. They explained how Mr K could complain about the debt collectors if he'd like.

Mr K didn't agree. He felt this was Experian's responsibility. He also raised concerns about how this worked more generally in relation to data protection, and raised new issues around how Experian were still holding his previous address details. 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.

I do appreciate that it would have been frustrating for Mr K if he had to deal with an account that wasn't his – not just the once, but twice. And so I understand why he's complained.

The thing is, this complaint has been directed against Experian, rather than the debt collectors who may have mis-traced him.

Experian only provided the trace service here, which suggested possible matches for the person the debt collection agencies were trying to chase. This is a normal function for a credit reference agency. It helps businesses in situations where, for example, they've lost touch with a customer who owed a debt, or where a customer had a savings account that went dormant and they're trying to give them their money. I don't find that Experian were doing anything wrong in offering this rather standard function to the debt collectors.

Given that Mr K apparently shared the same name and former address with the person in question, it's unsurprising that he came up as a possible match. And Experian only put forward *possible* matches – they didn't tell the debt collectors who they should or shouldn't contact. Broadly speaking, it was up to the debt collectors to review the information and do their own checks to make sure they then chased the right person.

So I don't see that Experian did anything substantially wrong here. They were just carrying out a proper function as normal. It follows that I don't award compensation here. As our investigator suggested, Mr K's complaint might be better directed towards the debt collectors instead. They'd be the ones who chose which contact details to use and then chased him.

I understand that Mr K may be unhappy with the way this tracing service works more generally, and that he has general concerns about data protection. But we're only here to look at individual complaints, as an informal alternative to the courts. We are not the regulators – I don't set how the financial systems work in general. So I'm not based placed to address those concerns. It's the Financial Conduct Authority (FCA) who regulate financial businesses, and the Information Commissioner's Office (ICO) who look after data protection issues more widely.

Similarly, Mr K has now raised further concerns about the way Experian are holding his former address data. This was not part of his original complaint, so he would normally need to raise this as a separate case. But I also note that his points mostly revolve around data protection regulation. So it seems this would also be better directed to the ICO in any case.

My final decision

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

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 28 February 2022.

Adam Charles
Ombudsman