

The complaint

Mr H complains that Sainsbury's Bank Plc continued to contact him about a debt that had been included in a Debt Relieve Order (DRO).

What happened

Mr H says a debt he owed to Sainsbury's was included in a DRO in 2017. He says Sainsbury's continued to contact him for the balance and sold the debt to a different business. Mr H says he has existing health issues which were exasperated by Sainsbury's actions and would like it to stop contact with him. He would also like £10,000 compensation and says his credit file has been affected. Mr H says he has spent some time trying to speak to Sainsbury's about this and says a debt collector attended his property.

Sainsbury's accepts it made a mistake and has apologised. It says it has updated its records and Mr H's credit file. It has also offered Mr H £500 compensation for what took place.

Mr H had brought his complaint to us and says Sainsbury's is discriminating against him as it says he had pre-existing health issues. Our investigator accepted Sainsbury's had made mistakes but thought the compensation offer appropriate.

Mr H doesn't accept that view and maintains he should receive £10,000 compensation.

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 Sainsbury's has made an appropriate compensation offer. I appreciate Mr H will be disappointed by my decision.

There is no question here that Sainsbury's made a mistake about what ought to have been a straightforward matter of updating its records when Mr H's debt was included in the DRO. I have no doubt Mr H was caused frustration and inconvenience in telling Sainsbury's and the other business that the debt was part of the DRO. And that he should not be asked to repay it. I have no doubt Mr H was caused distress as well as inconvenience and accept this issue went on for some time. I also accept that Mr H's credit file did not have correct information on it and Mr H had health issues.

The only issue for me to consider is the compensation amount. It may be helpful to Mr H if I explain that we are not Sainsbury's regulator and so it's not our role to punish a business. We also publish information on our website about the types and amount of awards we make and have to be consistent in our compensation awards. I'm satisfied that Mr H didn't suffer any financial loss that I have seen evidence of as a result of what took place and am satisfied that Sainsbury's has fairly apologised for what took place. I can see that it has updated Mr H's credit file as well as its own records. So, I'm satisfied there should no longer be any further contact by it about the debt.

I have made clear that I accept Mr H suffered a considerable level of stress and inconvenience. But I'm satisfied Sainsbury's compensation offer is fair and reasonable and is in line with the type of award we would order for this type of mistake and impact. I appreciate Mr H says Sainsbury's has discriminated against him by suggesting his health issues are pre-existing. I make clear that it would be for a court to decide if any discrimination rules are broken and further make clear I have accepted that Sainsbury's mistake had a greater impact on Mr H due to his medical position.

Overall, I find that Sainsbury's compensation is fair and reasonable and in line with our awards. I can't fairly order Sainsbury's pay the £10,000 compensation Mr H would like and appreciate he may not wish to accept my decision. If Mr H does wish to accept the offer, then it would be in full and final settlement of this complaint.

Putting things right

Sainsbury's should pay Mr H £500 compensation.

My final decision

My final decision is that I uphold this complaint and order Sainsbury's Bank Plc to pay Mr H £500 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 16 June 2022.

David Singh
Ombudsman