

## **The complaint**

Mrs A complains Equifax Limited incorrectly linked a third party's information with hers which caused the third party's financial information to appear on Mrs A's credit file.

## **What happened**

Mrs A says her and her mother in law have the same first and last name. Mrs A received a copy of her credit report from a website which displays credit information given to them by Equifax. And it was at this point, Mrs A noticed her credit report contained financial information relating to her mother in law.

Mrs A was worried her mother in law could, in turn, have seen financial information about Mrs A on her credit file and she was worried this would cause arguments due to previous financial difficulties. Mrs A says this worry triggered her anxiety and that she wasn't able to sleep as she was worrying over what could have potentially been seen by her mother in law on her own credit file. Mrs A also says she feels Equifax have breached data protection laws and said her financial information shouldn't have been shared. So, on 10 June 2022, Mrs A raised a complaint with Equifax about this.

Equifax say their matching systems are designed to ensure all personal information relating to a customer is returned and there are allowances in their matching routine for some differences in identifying information. Equifax recognised Mrs A and her mother in law have different dates of birth and also that Mrs A's mother in law has a middle name, but Mrs A does not. However, in this instance, due to Mrs A and Mrs A's mother in law having the same first and last name, Equifax said an error happened due to the similarities in the names, which led to information incorrectly being linked.

To resolve this issue, Equifax say they loaded a notice of disassociation to their database on 16 June 2022 and again on 2 August 2022 and Mrs A was sent confirmation from Equifax about this. The notice of disassociation ensures all of the financial information is separated and prevents any potential reoccurrence of this issue. Equifax offered Mrs A a total of £110 compensation in recognition of the inconvenience and distress caused.

Our Investigator looked into Mrs A's concerns. Ultimately, our Investigator considered the distress and inconvenience suffered by Mrs A as a result of this issue and recommended Equifax pay Mrs A £300 compensation in total.

Mrs A accepted our Investigator's view. But Equifax didn't. In summary they said, there was no evidence to suggest Mrs A's mother in law obtained a credit report from Equifax and that if Mrs A had debts that her mother in law helped with previously, then this would suggest Mrs A's mother in law already knows or knew of Mrs A's financial position. Equifax recognised that when they raised a case on their system about this issue, they referred to Mrs A's mother in law's name which upset Mrs A. But Equifax clarified they didn't send correspondence to Mrs A addressing her by her mother in law's name as suggested by our Investigator. Overall, Equifax didn't think £300 compensation was fair in the circumstances. So, the complaint has 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.

Equifax have acknowledged a mistake happened with their matching systems, which incorrectly linked Mrs A to her mother in law, causing Mrs A's mother in law's information to appear on Mrs A's credit file. So, what's left for me to decide is the impact this mistake has had on Mrs A and whether Equifax have done enough to put things right.

Mrs A has described in quite a lot of detail the impact this issue has had on her. Mrs A told us that financial matters in her home and for her personally are extremely triggering. Mrs A says her mother in law helped her out financially previously and that this was a distressing and embarrassing time. So, having the thought of her financial information being potentially exposed to her mother in law has brought all of this to the forefront of her mind.

Mrs A says even though Equifax corrected this issue by adding a notice of disassociation, she's still extremely anxious about her mother in law seeing her financial information. Mrs A also said she noticed a note has been added to her credit file which said something along the lines of asking any future potential lenders or creditors to check her creditworthiness going forward, which has made Mrs A worry about the potential impact the incorrect information link may have on her future. Mrs A also told us this has potential to cause difficulty in her marriage and the lives of her children. Overall, Mrs A says she feels she has this hanging over her and doesn't feel this is fair. I appreciate these concerns and I don't wish to downplay what has happened in any way, but I can't ask Equifax to put right what hasn't happened or what could potentially happen in the future. I can only look at the impact this issue has already had on Mrs A.

Mrs A says she found out about the data matching issue when she was on holiday with her family. Mrs A felt extremely vulnerable, sick and ashamed and has also had sleepless nights worrying about this issue. Mrs A was scared her mother in law may contact her husband on their holiday. As a result, Mrs A says she frantically tried to find out more information about this issue when she should have been relaxing with her family.

I'm sorry to read of the concern and worry this has caused Mrs A, and I can appreciate the impact this issue has had on her. Mrs A has told us that there was previous history of financial difficulties which her mother in law helped her with, so I can understand why the thought of her mother in law potentially seeing her current financial affairs worried her. Even though Mrs A's mother in law may have helped her financially previously, I don't think it's unreasonable to suggest Mrs A may not want her mother in law to know about her current financial matters.

Additionally, Mrs A says Equifax raised several cases to try and resolve this issue. And in doing so, on one occasion, she saw a case was raised in her mother in law's name (which included her first, middle and last name). And this caused her further panic as Mrs A thought her mother in law contacted Equifax to raise the same issue about information being incorrectly linked to her credit file. Equifax have provided evidence of what Mrs A said when she noticed this on 31 July 2022. And I can see Mrs A asked if another case had been opened for her by someone else. Mrs A reiterated this isn't her name and was in fact her mother in laws. Equifax say this was a request that an internal agent raised to the website Mrs A received her credit report from and that the dispute form had Mrs A's mother in laws name to show this was the disputed name, they weren't saying Mrs A's name was her mother in laws. While I appreciate Equifax's clarification, I can't see from Equifax's contact notes that they responded to Mrs A's concerns to explain this when she raised them on 31 July 2022. I think the lack of clarification and explanation caused further distress to Mrs A.

Mrs A says she doesn't know whether her mother in law saw Mrs A's financial information appearing on her credit file. Mrs A says she doesn't wish to raise it with her mother in law and that at the time this happened, she felt her mother in law was acting differently towards her. As a result, Mrs A was reluctant to have any extended contact with her mother in law in case she raised things with Mrs A. Mrs A says her mother in law made a comment to Mrs A acknowledging how hard things are financially for Mrs A but Mrs A was too worried to continue the conversation further, as she says she simply couldn't face having the conversation about her finances. While I can't hold Equifax responsible for Mrs A's mother in law acting differently towards her, I can understand that had this mistake not happened, it's unlikely Mrs A would have had these concerns.

Equifax acknowledged a notice of disassociation was initially loaded in June 2022 but then wasn't checked, so had to be loaded again two months later in August 2022, which caused a delay in the information being removed. So, from what Equifax have said, there seemed to be an issue with loading the notice of dissociation the first time in June 2022. Equifax have also said Mrs A's mother in law didn't obtain a credit report from them and that Mrs A's details weren't shared with her mother in law – they provided a screenshot to show this. But it seems that there was a period of two months where Mrs A's mother in law's financial information was still appearing on Mrs A's credit file which meant Equifax had to reload the notice of disassociation. So while I appreciate Equifax have since said Mrs A's mother in law didn't obtain a copy of her credit report, Mrs A still had to wait two months for the information to be removed from her credit file while being very concerned and worried.

Because Mrs A had her mother in law's information appearing on her credit file, this then made information appear about her father in law as he was showing as a financial connection. Understandably, this caused further upset to Mrs A as she wasn't expecting to see her father in law's information on her credit file.

So, having considered all of the stress and upset caused to Mrs A I don't think the £110 compensation Equifax offered is enough. As I say, while I appreciate Equifax were certain that Mrs A's mother in law didn't obtain a credit report with them and also gave reassurances Mrs A's financial information wasn't shared with her mother in law, I think the distress and worry caused to Mrs A has been quite clear here. So, I agree with our Investigator in that I think Equifax should pay Mrs A £300 compensation in total.

### **My final decision**

I uphold this complaint and I require Equifax to pay Mrs A £300 compensation in total.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs A to accept or reject my decision before 9 February 2023.

Leanne McEvoy  
**Ombudsman**