

## **The complaint**

Mr B complains that he couldn't make a payment to Creation Financial Services Limited trading as Creation (Creation) to repay monies owed to his credit card.

## **What happened**

In October 2022, Mr B says he attempted to make a payment to his Creation credit card account online. He says he makes payments this way every month and hasn't previously missed a payment.

When he tried to make a payment using Creation's portal (OAM), he kept getting an error message and wasn't able to make the payment in time for his payment due date. Mr B also says he tried to contact Creation over the phone to make a payment too, but he wasn't able to use the IVR system, and Creation's staff no longer take payments over the phone.

Essentially, Mr B says because of all of this, he is now behind with his repayments, and he now can't afford to bring his account up to date. He says he has been receiving threatening letters from Creation and he can now no longer use the online system to make a payment because his account has been suspended.

Creation responded to Mr B to say it didn't think it had done anything wrong. It explained that it had contacted its IT department who had confirmed there hadn't been any reported problems with making payments either online or using the IVR system. It also explained that the screenshot Mr B had sent it to evidence that he was unable to make a payment, shows that he was using a wrong portal to make the payment. Creation explained that Mr B's payment was due on 21 October 2022, and because this wasn't received in time, it had charged him a £12 late fee, which it said it had refunded as a gesture of goodwill. Creation's response also provided Mr B with different ways he could make a payment to it, which included Direct Debit, online, by post, by bank transfer or by telephone.

Mr B remained unhappy with Creation's response and said he continued to not be able to make repayments to the account in the way he wanted. Because of this, the Investigator also looked into the matter for Mr B. The Investigator said he had seen persuasive evidence to suggest that Mr B was using the wrong online portal to make a payment – which is why his payment attempts had been unsuccessful and the Investigator didn't think that the website was down as Mr B had suggested. The Investigator also found that Creation had explained other ways of making repayments and offered assistance to help him make a payment over the phone if this was needed. So, he didn't think that Creation had done anything wrong. Because of this, he didn't think it was unfair of Creation to attempt to recover the funds owed by Mr B. However, he thought that the parties should come to a payment arrangement for the outstanding balance.

Mr B didn't agree with the Investigators view. He felt that he had sent sufficient evidence to prove that he couldn't make a payment online. He also explained that he couldn't use the IVR system either because it didn't recognise his card details. He has reiterated that Creation have continued to send him threatening letters, its customer service team are rude

and Creation have ignored his emails. Mr B says he doesn't want to pay the arrears on the account because these exist because of a fault with Creation's website and its IVR.

Because Mr B didn't agree with the Investigators view the complaint has been passed to me to review and make a decision on the matter.

### **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 considered all of the evidence available to me, I won't be upholding Mr B's complaint. I appreciate this decision will come as a disappointment to Mr B, as I am aware how strongly he feels about the matter, however, I will explain my reasons for this below.

I'd like to thank Mr B for providing the detail he has in response to our Investigators view. I have read and taken into account everything that both parties have submitted, however, my findings will only address matters I consider central to the outcome of this complaint. So, I won't address every point that has been raised. I trust this won't be taken as a discourtesy, but this reflects the informal nature of our service. And to be clear, I consider the crux of this complaint to be about Mr B not being able to make a payment to Creation online or by using the IVR system.

Firstly, I've looked at the evidence Mr B has provided me with to show that there was an error when he tried to make the payment online. The screen shot he's sent clearly shows that there was an error in processing the payment. So, I now need to decide if this error was as a result of something Creation has done wrong.

Looking closely at the screen shot provided by Mr B, I can see in the top left-hand corner of the page, the this says "Finance Personal" – some of the other writing has been cut out of the screenshot, but nevertheless, I think what I have seen is still helpful in understanding what has happened here.

It appears that the portal Mr B was using to make the payment to his Creation credit card account was the wrong portal. The portal he was using seems to relate to a different type of account, which is likely why Mr B couldn't make the payment through this portal. The portal he tried to make the payment through wasn't for Creation credit card accounts. Mr B hasn't provided any further screenshots of a payment error using the correct portal, and so I think it is likely the payment issue here was down to Mr B accessing the wrong portal and not something Creation has done wrong. I can see Creation explained this to Mr B in its final response to him, and I haven't seen any evidence of a payment error using the correct portal. And so, I can't fairly say that Creation has done anything wrong here.

Moving onto the problems Mr B faced in using the IVR system to make a payment. It appears that initially there was some confusion over what 'account number' Mr B should have been inputting into the system. Creation confirmed that the 'account number' was the long credit card number. Mr B explained that the system wasn't identifying this number and so he couldn't make a payment. I can see though that later Mr B was able to use the IVR to make a payment, however he says he couldn't afford to make a payment by this point because the arrears meant the minimum repayment was too high for him to afford. So, it appears that the IVR system was at least working at one point. I can see that Creation offered to talk Mr B through making a payment using the IVR, however, Mr B didn't contact Creation to do this.

Since the Investigator has looked into matters, it appears that Creation has resolved the IVR problems Mr B was having. Creation have said that Mr B was using an old supplementary card (with a different card number) to make the repayments – which is why its system wasn't recognising the account/card number. I don't think it would be fair for me to find that Creation did something wrong here – when Mr B inputted the wrong card number. I can see that the correspondence Creation has had with Mr B, and the statements Mr B has had access to, do show the last digits of the correct card number, so I think Mr B had enough information available to him to realise the card number he was using wasn't correct.

Creation have also explained that it did try to contact Mr B on a number of occasions, but it couldn't get through to him on the number it had recorded for him. So, overall, I think Creation have tried to help Mr B, and because of this I can't hold it responsible for Mr B not being able to use the system.

I can also see that Creation provided Mr B with other payment options, all which Mr B didn't want to use and subsequently didn't attempt. So, although they might not have been his preferred way to make the payments, I'm satisfied he was offered reasonable alternative options to enable him to make payments on his credit card account.

The terms and conditions of the account explain that at least the minimum payment needs to be made by the due date. And this responsibility is on Mr B to ensure that the payment is received in time. While Mr B has clearly had difficulties in making the payment, he could have tried one of the other options available to him to make a payment, which I can't see he has done.

So, with all of the above in mind, while I don't dispute Mr B has had difficulties in making repayments to his credit card account, I don't think these difficulties are down to anything that Creation have done wrong.

Creation is entitled to make attempts to collect an unpaid debt. I have seen copies of the letters that Creation says it sent to Mr B about the debt. I can't agree with Mr B's comments that these letters are threatening. Rather, they explain what might happen to the account and or Mr B's circumstances if the debt remains unpaid and arrears continue to build on the account. Creation is obliged to provide Mr B with this information and so while I can understand why Mr B might be unhappy about these letters, I don't think it was wrong of Creation to have sent them.

There are arrears on this account that Mr B is due to repay. It's clear from what Mr B has told this service that he can't afford to repay the arrears in one go. I have recently seen information to suggest that both parties have now come to a repayment arrangement, which I'm pleased to see. Mr B won't be able to make repayments using the online system for the time being while his account is suspended. He will need to do this using one of the other methods I've mentioned above.

### **My final decision**

For the reasons set out above, I don't uphold Mr B's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 14 June 2023.

Sophie Wilkinson  
**Ombudsman**