

The complaint

Mr M complains that TRANSUNION INTERNATIONAL UK LIMITED (TU) failed to dispute incorrect information on his credit report.

What happened

I previously issued a provisional decision on this case. I did this because I wanted to give both parties the chance to respond with anything else they wanted me to consider before I came to my final decision on the matter.

I have copied my provisional decision below, which also forms part of this final decision.

"In June 2022, Mr M says he noticed TU were reporting a missed payment in relation to an account with a firm I will refer to as "P". Mr M says he didn't have an account with P and he hadn't missed a payment either – and so he tried to raise a dispute with TU.

Mr M says that TU told him to speak to P himself, which he felt was unreasonable given that TU's own website states that it will dispute incorrect information on his behalf. Mr M was unhappy with the tone of TU's response to him – stating that it was unprofessional and sarcastic.

Mr M said that after receiving TU's unprofessional email, he did get in touch with P to find out what had happened. P explained that it had taken over another firm that went into administration almost ten years prior – and Mr M says he did have an account with this firm, although he hadn't ever been late in making a payment to them. P acknowledged that it was reporting a missed payment against him in error, and Mr M was under the impression that it had contacted TU to let it know.

TU responded to Mr M's complaint but didn't uphold it. It said that the information provided by its Dispute Team was correct – and it confirmed the entry Mr M had disputed wasn't showing on his credit report.

Mr M wasn't happy with TU's response. He confirmed that his complaint was about TU refusing to dispute the entry and that its response to him was impertinent. Mr M also referred to law, in saying that TU had allowed defamatory statements to be made about him.

The Investigator considered what both parties said, and thought the complaint should be upheld, and TU should pay Mr M £200. The Investigator thought that TU should have done more to help Mr M dispute the entry on his credit file, at the time he raised the issue.

Mr M accepted the Investigator's view, but TU didn't. It said that P hadn't ever been reporting information on Mr M's credit file – and so it couldn't raise a dispute for information that didn't exist. It also said that it had asked Mr M for information about his dispute, but it didn't get a response.

Before coming to my provisional decision on this case, I asked Mr M for a copy of the email TU sent to him on 22 June 2022, which he has kindly provided.

I also wrote to TU to ask some more questions about the information it was reporting about Mr M in relation to P. It has now said that it's possible it was reporting information about P, but if that information has now been deleted, it would be very difficult to find.

What I've provisionally 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 everything available to me, I intend to uphold Mr M's complaint.

It is the role of a credit reference agency to dispute information with a firm, where it has been told it is inaccurate. I can see Mr M disputed information relating to P. TU's response to this was that Mr M should raise this directly with P first. I don't accept that this is an appropriate course of action, and TU could and should have done this on Mr M's behalf at the time. I note that TU did, on 22 June 2022 ask Mr M for details of the dispute he wanted to raise, however, for reasons I will go onto to explain, I'm not surprised that Mr M didn't feel comfortable providing this information to TU – and instead contacted P directly himself.

I understand that TU has now accepted it's possible it was reporting information about Mr M in relation to an account with P. I've seen evidence provided by Mr M, which shows that P has accepted that it had made a mistake in the reporting – and it said it would update the credit reference agencies. I also find it unlikely that Mr M would raise a dispute about an entry on his credit file that simply didn't exist. And so, I think it more likely than not that TU were reporting a missed payment in relation to an account Mr M had previously held with a firm relating to P. Although I note that this is, correctly, no longer being reported.

On 22 June 2022, TU sent Mr M an email relating to the dispute he was trying to make – which is also the email that Mr M has referred to as being impertinent. I have copied a section of the email below:

"I am surprised you say that you do not accept that it is for you to contact P... We do not generate information here at TransUnion. We only hold financial account information which is supplied to us via regular updates from lending organisations. As a result, We [sic] cannot make any changes to a financial record without the lender's authorisation.

You also say that we are making a statement concerning you that is defamatory in that we are repeating a statement that is both untrue and adverse to your interests. If you feel so strongly about this, then you should be wanting to sort this out with the source of the information which is P..., but surprisingly you have chosen not to contact them! Naturally, if a company has it recorded that someone has recently missed a payment to them when the person does not have, and has never had an account with the company, it is expected that the person will want to contact the company to sort things out!

You stated that it may be that we are entitled to rely on statements by third parties, but, only until we are advised of the truth, and once the truth has been pointed out to us, we have no right to repeat the defamatory statement - at the very least without checking. The questions to ask here are: What is the truth? Who is speaking this truth? What evidence is presented to help us validate the truth?..."

On reading this, I was surprised and disappointed by the inappropriate and unprofessional tone of TU's email to Mr M. Not only is the tone, as Mr M refers to it sarcastic, it also seems to suggest that it is up to Mr M to sort out the inaccurate information being reported about him – which, as I've explained above, TU have a responsibility to do. I note from the rest of

the email (not copied here) that TU did request details of the dispute, however, given the prior contents of the email, unsurprisingly, Mr M disputed the matter directly with P.

TU has fallen short of what I would have expected in terms of process and customer service. It was initially unhelpful in not raising a dispute on Mr M's behalf when it should have, and it has sent him correspondence which was unnecessarily unprofessional. For these reasons, I intend to order TU to increase the compensation award to £350.

I have noted that Mr M now feels that compensation of £2,500 would be fairer. However, I currently find the £350 I intend to award to be a fair amount for the impact TU's errors have had on him. This award is also in line with this services' normal approach to a distress and inconvenience award."

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.

Mr M responded to my provisional decision to say he accepted it. And TU responded to say it had nothing further to add.

Because of this, I see no reason to depart from the findings made in my provisional decision.

Putting things right

For the reasons set out in my provisional decision, TU should put things right for Mr M by paying him £350 for the distress and inconvenience TU's actions have caused him.

My final decision

For the reasons set out in this decision, my decision is to uphold Mr M's complaint. I order TRANSUNION INTERNATIONAL UK LIMITED to put things right for Mr M by doing what I've said above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 13 December 2023.

Sophie Wilkinson
Ombudsman