

## **The complaint**

Mr H complains that NewDay Ltd trading as John Lewis Partnership Card (“JLP”) declined his credit application.

## **What happened**

In September 2022 Mr W made two applications for a JLP credit card. The first application was made on 13 September 2022 and the second application was made on 21 September 2022. Both applications were declined.

Mr W complained to JLP. JLP didn’t uphold the complaint. In its final response, it said it had declined the applications because Mr H didn’t meet the acceptance criteria.

Mr W contacted the Information Commissioners Office (“ICO”) regarding the matter and JLP reviewed the complaint again. A second response was issued, in which JLP said the applications had been declined due to disposable income data from the credit reference agencies and data from how Mr W had managed his previous account.

Mr W remained unhappy and brought his complaint to this service.

Our investigator didn’t uphold the complaint. They said they didn’t think JLP had made an error or acted unreasonably.

Mr W didn’t agree. He said he’d submitted a Data Subject Access request via the ICO in September 2023 and although JLP had told him it would respond within 30 days, he hadn’t yet received a response. Mr W also said that he didn’t feel that JLP had reviewed his complaint properly, because he’d received a response to his complaint on the same day that he’d complained.

## **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 understand that Mr W is frustrated that he doesn’t know the exact reason why he’s been declined for a JLP credit card. However, I agree with the investigator that JLP hasn’t made an error. I’ll explain why.

When a credit card provider decides whether to approve an application for a credit card, it will carry out checks on the applicant’s credit file to see how much they currently owe and how well they have managed credit in the past. It will also look at the information an applicant has provided on their application form about their employment status, income and outgoings, in order to assess affordability.

There are several reasons why credit might be declined. Some of the more common reasons might include a limited credit history, income too low or unstable work history, outstanding credit balance too high, late payments, too many applications for credit have been made, identity can’t be confirmed, financially linked to someone with poor credit history, errors on

credit file, mistakes on the application form and bankruptcy or county court judgments.

Lenders are allowed to set their own lending criteria and can decline an application for credit without giving a reason. This is because the reason for the decline is considered to be business sensitive information.

In Mr W's case, JLP has said that the applications were declined due to the disposable income data it obtained from the credit reference agencies. JLP also said that it looked at data from how Mr W managed his previous Partnership Card account.

I appreciate that Mr W is unhappy about being declined for the credit card. He's told this service that he has a relatively high household income and an excellent credit score. I haven't seen anything to suggest that Mr W's credit score has been called into question.

Ultimately, JLR has the right to set its own lending criteria. It doesn't have to disclose what the criteria is as this is business sensitive information. It has said that Mr W didn't meet the criteria for an account. In the circumstances, I'm unable to say that JLP made an error when it declined the applications, or that it treated Mr W unfairly. I won't be asking JLP to do anything further.

Mr W has also raised an issue about his DSAR. I understand that he submitted this via the ICO in September 2023. At the time of the investigator issuing their view, Mr W hadn't received a response to the DSAR. Since then, JLP sent a letter to Mr W in response to the DSAR in April 2024. Mr W has also told this service that the ICO has upheld his complaint against JLP on the grounds that it failed to comply with its data protection obligations.

Mr W has raised concerns regarding the information provided by JLP pursuant to the DSAR. I've read what Mr W has said about this. If Mr W believes that JLP hasn't fully complied with the DSAR, he will need to raise this with the ICO.

For the reasons I've explained, I'm unable to uphold this complaint.

### **My final decision**

My final decision is that I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 28 May 2024.

Emma Davy  
**Ombudsman**