

## **The complaint**

Mr T complains that Experian Limited sent him his statutory credit report in an unsealed envelope.

## **What happened**

In March 2024, Mr T asked Experian to send him a copy of his report. He received it a few days later in an unsealed envelope and is concerned that it contained lots of data that could enable fraud. He complained to Experian and asked what it could do to protect him.

Experian looked into his complaint. It said it had checked the batch which included his report, and it was satisfied there had been no error at its end. Experian said it relied on Royal Mail to deliver post in good condition. It rejected his complaint, but in an effort to resolve Mr T's concerns about fraud, it offered to place a password on his account. This would mean lenders looking to access his information would need to contact him for a password in order to view his credit report, providing an extra layer of security.

Mr T was unhappy with Experian's response, so he referred his complaint to this service. One of our investigators looked into it. He said the photographs of the envelope Mr T had provided appeared to show it had been sealed at some point, but it may have become unsealed in transit. Our investigator felt he couldn't hold Experian responsible for that. He noted that there didn't appear to be any information missing from the report and Mr T hadn't provided any evidence that he'd suffered fraud as a result. Our investigator said Experian's offer to add a password was a reasonable way to resolve the matter.

Experian agreed with our investigator, but Mr T didn't. As there was no agreement, the complaint has been passed to me for a decision.

## **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.

Experian has looked into the circumstances around the dispatch of Mr T's report and clearly explained the steps it took to do so. It has been unable to identify any issues with the package it sent when it left its building. I've seen nothing which gives me cause to dispute that and it would be unreasonable for me to hold it responsible for any damage caused to the envelope in the post.

I've looked at the photographs of the envelope provided by Mr T. There are areas where the glue appears scuffed, and the flap of the envelope is torn. So on balance I can't reasonably conclude that it has never been sealed, but it is also possible that such damage may have occurred due to it not being. In this case, I have no reason to doubt what either party says about whether or not the envelope was sealed. I can't fairly make a finding on that point, but I don't think I need to do so as I don't think that's the main point of the complaint.

I think the main point of Mr T's complaint is that some of his data may have been taken by

persons unknown putting him at risk of fraud. He has not said any pages were missing but says someone may have taken copies of the information. I've thought about that and on balance, I don't think that's a likely course of events – let me explain why.

If an individual had noticed the package in an unsealed envelope, they'd have had to remove the paperwork, take copies and return the pages in the same order into the envelope (leaving it unsealed) and return it to the delivery system undetected. I think it far more likely that if such an individual were to try to steal the information, they would have done that by taking the report or discarding it after copying. I think it unlikely, on balance, that they would have returned the package in an unsealed envelope to continue its journey.

I understand why Mr T is concerned that he is at risk of fraud given the amount of data contained in his report. But I can only make an award based on what *has* happened when investigating a complaint and not what *might* happen. Should Mr T fall victim of fraud in future he is free to raise a complaint about that with the business(es) involved in that.

Experian has offered Mr T extra protection of the information it holds. I accept his comments that the solution isn't perfect as it entails a password on his credit file which potential creditors would need, to access his report. But it does place an extra layer of security in the way of anyone seeking to take advantage of any data that may have been stolen.

Mr T wouldn't need to give the password out if he hadn't made an application, he'd simply tell the potential creditor it wasn't him making the application and it wouldn't progress. So if the password was required, he'd be giving it to someone he's applying to for credit, so presumably he feels is trustworthy. I think it is a reasonable solution to Mr T's concerns. If he wishes to implement it, he should contact Experian as it has set out in its final response.

If Mr T remains concerned that his information may be misused and is dissatisfied with the solution proposed by Experian, he might wish to consider applying for protective registration with CIFAS – details of how to do so can be found online at <https://www.cifas.org.uk/pr>.

### **My final decision**

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

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr T to accept or reject my decision before 18 July 2024.

Richard Hale  
**Ombudsman**