

The complaint

Mrs Q has complained Vanquis Bank Limited never properly responded when she complained about being pursued for repayment of a loan she'd never taken out.

What happened

After receiving correspondence from a debt collection agency, Mrs Q got in touch with Vanquis. She'd been led to believe the agency were pursuing her for a loan which she'd taken out with Vanquis but she'd never done so.

Mrs Q contacted Vanquis in November 2023 to ask them what was going on. It wasn't until August 2024 that she got a final response from Vanquis confirming they'd not sorted out the issue which rested with their security team. They agreed to pay her £150 for the delays she'd had to put up with.

Mrs Q brought her complaint to the ombudsman service.

During our investigations we received no business file from Vanquis. We told them in the absence of a business file, we were upholding Mrs Q's complaint. They were to write off any loan in Mrs Q's name and pay her a further £100 for the delays she'd had to put up with.

Mrs Q agreed with this outcome. No further response was received from Vanquis.

Mrs Q's complaint has been passed to an ombudsman for 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.

Having done so, I've reached the same outcome as our investigator. I'll explain why.

Vanquis will be aware that the rules that govern how we operate allow us to reach outcomes when we have received no evidence from either party about the complaint itself.

This is what I'm doing here. No business file has been received. It is now more than six months after our service first contacted Vanquis to ask for their evidence.

This means that I don't even have the evidence to show any loan was taken out in Mrs Q's name, fraudulently or otherwise. She was, however, told this by the agency pursuing her for collection of a debt which they said Vanquis held in her name.

In addition, I believe Mrs Q holds a Vanquis credit card. She's confirmed her payments for this card are up-to-date. I've received nothing to show otherwise.

I'm satisfied there's no evidence to show Mrs Q took out this loan and I will be asking Vanquis to put things right.

Vanquis will need to write off the loan taken out in Mrs Q's name. They will also need to ensure she is not asked to make any further repayments towards this debt. Any reference to this loan will need to be removed from Mrs Q's credit record.

I know that Vanquis has already paid her £150 for the trouble caused. I'm asking Vanquis to pay Mrs Q a further £100 for the continued delays in resolving her complaint. Mrs Q has also complained her credit card has been blocked whilst the loan issues remain outstanding. I've seen no justification for this as Vanquis provided no evidence to our service so will be instructing them to sort that issue out as well.

My final decision

For the reasons given, my final decision is to instruct Vanquis Bank Limited to:

- write off the loan taken out in Mrs Q's name;
- ensure Mrs Q is not asked to make any further repayments towards this debt;
- remove any reference to this loan from Mrs Q's credit record;
- pay Mrs Q a further £100 for the continued delays in resolving her complaint; and
- remove any blocks to Mrs Q's continued use of her Vanquis credit card related to the personal loan non-payment.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs Q to accept or reject my decision before 7 April 2025.

Sandra Quinn
Ombudsman