

## The complaint

Miss H complains that NewDay Ltd trading as Aqua recorded missed payments on her credit file whilst she was on a payment holiday.

## What happened

Miss H holds a credit card account with NewDay.

On 10 January 2024 Miss H contacted NewDay and advised them that she had experienced a change in her financial circumstances. The call handler advised Miss H that her account was in arrears as she had missed her repayment that month. Miss H was advised that in order to avoid a missed payment being reported on her credit file, she would need to make the minimum payment by 17 January 2024. Miss H said she would make the payment by that date.

Miss H didn't make the payment. NewDay sent her a letter advising her of the missed payments on 20 January 2024 and explained that missed payments could affect her credit score.

Miss H contacted NewDay again on 20 January 2024 and raised a complaint because the January missed payment had been recorded on her credit file. She asked for this to be removed. During the call, and because Miss H said she was experiencing financial difficulties, the call handler agreed a 3 month payment holiday.

NewDay issued a final response on 9 February 2024 addressing the initial call Miss H had with them. It said that no errors had been made as correct information had been provided to her. NewDay credited Miss H's account with £12 to cover the late payment fee which had been applied on 21 January 2024.

In May 2024 Miss H discovered that missed payments were showing on her credit file for March and April 2024.

Miss H complained to NewDay. She said it was her understanding from the call dated 20 January 2024 that the payment holiday wouldn't show as missed payments and wouldn't negatively impact her credit file.

NewDay didn't uphold the complaint. In its final response dated 24 May 2024 it said that Miss H had been provided with correct information on the call regarding a payment holiday. It said it was obliged to report accurate information to the credit reference agencies and was unable to amend Miss H's credit file.

Miss H remained unhappy and brought her complaint to this service.

Our investigator didn't uphold the complaint. She said she'd considered all the evidence and couldn't see that NewDay had misinformed Miss H or that it had made an error when it reported the missed payments on Miss H's credit file.

Miss H didn't agree so I've been asked to review the complaint.

## **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.

The essence of Miss H's complaint is that it wasn't explained to her that the payment holiday would negatively impact her credit file or be marked as a missed payment. She doesn't understand why her credit file is showing missed payments for March and April. Miss H says that if she'd been made aware that the payment holiday would negatively impact her credit file, she wouldn't have entered into the agreement.

I've looked at Miss H's credit file. The missed payments reported for January, March and April don't relate to the payment holiday. Miss H missed her monthly payment on 3 January 2024 and it's this missed payment which is being reported. The reason the January missed payment isn't reporting for February 2024 is because Miss H raised her complaint about this missed payment marker in late January 2024.

I've listened to both of the calls which Miss H had with NewDay, In the call dated 10 January 2024 the call handler advised Miss H that she had missed her payment and explained that she need to pay it by 17 January 2024 in order to avoid a missed payment being reported. Miss H didn't pay the monthly payment in January.

Based on my review of the call dated 10 January 2024, I don't think NewDay gave Miss H misleading or incorrect advice. The call handler was very clear with Miss H that the missed payment would be reported if the monthly payment wasn't paid by 17 January 2024.

I can see that NewDay wrote to Miss H on 20 January 2024 and advised her that the missed payment would affect her credit score. Again, I don't think this letter was misleading or incorrect.

In the call dated 24 January 2024, the call handler advised Miss H that the payment holiday wouldn't have any further impact on her credit file.

This advice wasn't incorrect. Miss H's payment holiday hasn't been reported on her credit file. This was explained to Miss H in a letter dated 22 January 2024 which stated:

*"If you do have amounts that are already overdue, these will show on your credit file with the credit reference agencies and will continue to show throughout your payment holiday. Your payment holiday itself will not be reported to the credit reference agencies".*

Based on what I've seen, I can't see that there are any grounds to ask NewDay to amend the credit file, because the January missed payment is being correctly reported. There's no evidence to suggest that Miss H was given incorrect or misleading information here.

I can see that Miss H cleared the outstanding arrears on the account in April 2024. This is why the January missed payment hasn't been reported beyond April 2024.

Taking everything into account, and whilst I understand why Miss H wants the missed payment markers removed, I'm unable to ask NewDay to amend Miss H's credit file because it hasn't made an error.

## **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 Miss H to accept or reject my decision before 12 December 2024.

Emma Davy  
**Ombudsman**