

The complaint

Mr H complains Vanquis Bank Limited ("Vanquis") undertook a searches on his credit report when he no longer had an account with it.

What happened

Mr H found a hard search on his credit file by Vanquis dated 7 November 2023. He raised this with Vanquis who upheld the complaint and sent a Final Response Letter ("FRL") on 26 March 2024.

In that FRL Vanquis confirmed the 7 November 2023 entry was a hard search. It was unable to determine a reason as to why that search had been performed. So, for that reason, it confirmed it was going to remove it from his file and offered to pay Mr H £50 compensation for any inconvenience caused. It also told Mr H further searches he'd shown it from 24 January 2024 were soft searches, only visible to Mr H, and had no impact on his credit score. Vanquis said it did such searches from time to time if it thought it may need to send correspondence, to verify the address it had on file was still current.

Mr H was unhappy and referred the matter to our service. He said there were a number of hard searches and a mortgage broker had told him a mortgage couldn't be offered to him because of the multiple searches. Mr H said he wasn't able to send us the correspondence he had about this point as it contained personal and financial information. But said the broker stated the hard searches had a significant impact on his credit report. Mr H said, aside from this, it had a significant mental health impact on him. He thought Vanquis had no right to do hard searches that many times when he no longer banked with it. He also thought it was a breach of his privacy and his data protection.

Our investigator didn't think Vanquis needed to do anything further here as the resolution it had offered in the FRL was fair. Our investigator said as he'd requested, but not seen, Mr H's statutory credit report, he'd considered the matter with the information that was available. That showed just the search by Vanquis on 7 November 2023. This was the same search Vanquis dealt within their FRL, agreed to remove, and pay £50 compensation for. He said if there were more hard searches or the original one remained, he would need to see evidence of this to raise it with Vanquis. But, as matters stood, Vanquis agreed to remove the only hard search there was evidence for. And the £50 compensation it had offered, without evidence of any further loss or damage was, in his view, fair.

Mr H told us he wasn't satisfied with the investigation. He told us he didn't understand how the investigator upheld illegal searches by financial institutions who have no reason to search people finances. He said it was a clear breach, clearly fraudulent and reprehensible that the investigator had ignored the main issue and was obsessed about if this had impacted Mr H in the long term. He asked for an ombudsman to make a final 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.

I understand Mr H is unhappy about our investigators approach. I want to assure him I've looked at all the evidence here and considered the matter afresh. Having looked at all the information in this case, I've come to the view this isn't a complaint I can uphold. I'll explain why.

Vanquis accept the one unexplained hard search on 7 November 2023, agree to remove it and pay compensation. The issue is Mr H believes there are multiple hard searches on his credit report from Vanquis and this is wrong as he's not currently - and hasn't been for some years – its customer. He also thinks those multiple hard searches have a detrimental impact on his credit file.

I hear Mr H's concerns as, I think, did both investigators who looked at this file. But I've got to make a decision on the evidence before me. Our investigators asked him for a copy of his statutory credit report and sent a link to him with an explanation of how to obtain that. This report would show any additional searches that Vanquis haven't accepted. And whether the one back on 7 November 2023 had been removed as Vanquis promised in the FRL. But we haven't received a copy of the statutory credit report. All we have is a screen shot which Mr H sent to us on 9 September 2024 showing the hard search of 7 November 2023 that Vanquis accept and say it's removed. Without proof of the credit file showing further searches or the 7 November 2023 search remaining, I can't fairly or reasonably ask Vanquis to do anything more here.

Vanquis have apologized to Mr H for him having to contact them and raise a complaint about this hard search and said it would remove that entry. I think that action and the £50 compensation is a reasonable reflection of the inconvenience here and the sort of award I'd have made had it not been suggested. So, I'm not going to ask Vanquis to do anything further. I appreciate Mr H referred some time ago to the compensation not having been paid. So, if he's minded to accept the payment, I would urge him to provide the bank details Vanquis requested in the FRL so this can be dealt with, if it's outstanding.

Given how strongly Mr H feels about this he may wish to take matters further. I can see he's already raised the matter with the Information Commissioners Office, the Financial Conduct Authority, reported it to the police and contacted journalists. But, for the reasons I've explained, I'm not going to uphold this complaint as I think Vanquis have already responded reasonably to it.

My final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 27 February 2025.

Annabel O'Sullivan
Ombudsman