

The complaint

Mr L is unhappy with the compensation Volkswagen Financial Services (UK) Limited trading as Audi Finance ("VWFS") offered and its response to his data request in respect of a previous complaint.

What happened

Mr L was supplied with a car financed through a credit agreement with VWFS. At the end of the agreement, he asked for information which VWFS emailed to him. He said he didn't receive the email and, as a result, he experienced some financial hardship. Mr L brought the complaint to this service in 2020, but we didn't think there was anything for VWFS to put right.

In 2024, VWFS sent Mr L a goodwill payment of £100 in recognition of service shortfalls he might have experienced because of the way it had previously handled accounts. Mr L asked VWFS to send him his personal data, which it did. But Mr L said VWFS had omitted an email he'd received in 2020 and he thought it had altered the text on another. He complained to VWFS and asked it to look again at his 2020 complaint. Mr L also said the goodwill payment of £100 was insufficient for his experience.

VWFS issued a final response saying it wouldn't reconsider his 2020 complaint because it had already been decided by an ombudsman. In respect of the goodwill payment, VWFS said Mr L hadn't evidenced the impact of any possible service failings, so it didn't think it needed to do any more.

When Mr L brought his complaint to us, our investigator didn't uphold it. She said he hadn't provided any evidence of a detriment that would warrant additional compensation. And our investigator said the data VWFS provided was in relation to Mr L's 2020 complaint and didn't impact the outcome.

Mr L said his complaint had been misunderstood. While it was, in part, about the £100 compensation, he said it was mainly about the data request. Mr L explained how the data VWFS provided him with proved it had changed the emails key to his 2020 complaint. He asked for an ombudsman's 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 overall conclusions as the investigator, and for broadly the same reasons. If I haven't commented on any specific point, it's because I don't believe it's affected what I think is the right outcome. Where evidence has been incomplete or contradictory, I've reached my view on the balance of probabilities – what I think is most likely to have happened given the available evidence and wider circumstances.

In considering this complaint I've had regard to the relevant law and regulations; any regulator's rules, guidance and standards, codes of practice, and (where appropriate) what I consider was good industry practice at the time.

£100 payment

Firstly, I'll address the matter of the £100 payment VWFS offered Mr L. VWFS confirmed it hadn't looked at his account specifically and Mr L thinks that's evidence it hasn't investigated his concerns.

Looking at the letter VWFS sent to Mr L, and its explanation about the payment, I can see it's not directly relevant to his previous complaint. VWFS sent the letter to Mr L, and many other consumers, after it had been identified that it may not have handled all accounts appropriately where consumers were struggling to make payment. There was no indication that the payment was for a specific shortfall with Mr L's account, and it's entirely possible he may not have been affected at all by the broader service failing.

VWFS didn't increase its offer because it said Mr L hadn't demonstrated any detriment. Looking at the evidence, it's clear that Mr L has repeated much of the information he provided for his 2020 complaint. An ombudsman has already reached a decision on that evidence and concluded that VWFS had put matters right and didn't need to do anything more. I haven't seen anything in his latest submissions to evidence any detriment that would warrant an additional payment in direct relation to the matter for which VWFS has already paid £100.

Data request

Mr L said this is the main point of his complaint. He said the data VWFS provided to him proved that it had failed to submit accurate information for consideration when we looked into his 2020 complaint.

The rules under which we operate (DISP 3.3.4.B) set out examples of the type of complaint that ought not to be considered. These include, "*where the subject matter of the complaint has previously been considered or excluded under the Financial Ombudsman Service (unless material new evidence which the Ombudsman considers likely to affect the outcome has subsequently become available to the complainant)*".

The evidence Mr L refers to is an email VWFS said it sent to him and we concluded that it most likely had. But he thinks it's a forwarded email and he said that proves it wasn't sent to him. I've looked at the original evidence and I'm satisfied that the information Mr L has provided doesn't add anything. Whether or not it was a forwarded email – and it may have been if VWFS noted its error and simply resent it with the correct name – the content was the same otherwise.

Therefore, I don't think this is significant new information which would affect the outcome so, for that reason, I haven't addressed the merits of Mr L's complaint about the data request.

My final decision

For the reasons given, my final decision is that I don't uphold Mr L's complaint about Volkswagen Financial Services (UK) Limited trading as Audi Finance.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr L to accept or reject my decision before 5 May 2025.

Debra Vaughan
Ombudsman