

The complaint

Mr S complains TRANSUNION INTERNATIONAL UK LIMITED trading as Transunion are reporting incorrect information on his credit file.

What happened

Mr S complains Transunion have failed to update his credit file. Mr S says his credit card account with a bank, "B", is being reported incorrectly on his credit file and that Transunion are blaming B for this. Mr S says he paid off his credit card in December 2024, but the balance wasn't updated to show this and he says this issue is impacting his credit score.

Transunion addressed Mr S' complaint in their final response letter in February 2025, which I've summarised below:

Balance showing incorrectly for Mr S' account with B

Transunion said account balances shown on Mr S' credit file aren't shown in real time. They said the balance is shown from the last update the account provider shared their account performance information with Transunion and that this usually happens every four weeks. Transunion said if Mr S still had concerns about the balance amount on his account with B, for him to contact B directly and raise this.

An address link issue

Transunion also commented on an address link issue Mr S seemed to have raised with them. They said address links are received from their data suppliers and that they may report an account with a new address, which will cause a link to be created stating which address is a previous one and which is a new one. Transunion also said the links are useful as they allow a customer to keep in touch with their financial past as well as helping to highlight identity fraud.

Transunion said they raised a dispute with B about the address link Mr S was disputing and that B acknowledged they reported the address link in error and agreed for the link to be removed in November 2024. Transunion responded to B on the same day to say they had located the incorrect address link and had raised this with their internal team. Transunion told Mr S in January 2025 that the incorrect address link had been removed.

Transunion apologised for the delay in removing the link and explained their internal team were working on a delay of between eight to ten weeks, completing on cases which was a known issue to Transunion. Transunion apologised for any inconvenience caused to Mr S and their failure to keep him updated and said they were working hard to resolve this issue. Transunion clarified that the data provider, in this case B, is responsible for recording the status of an account and not Transunion. They said they wouldn't be able to remove any data from Mr S' credit report without the permission of the data supplier.

Our Investigator's view

Our Investigator said information is reported to Credit Reference Agencies (CRAs), like Transunion, on a cyclical basis and that this can sometimes be every six to eight weeks. Our Investigator also said the balance information was provided to Transunion by B and that Transunion don't have any control over what is reported or provided to them.

Our Investigator said B told Transunion late November 2024 to remove the address link that was being incorrectly reported on Mr S' credit file. And that Transunion informed B early January 2025 that they'd now done this. Our Investigator recognised it took Transunion some time to do this and that they'd explained it was down to a delay on their end. Our Investigator thought Transunion's apology was enough for the delay caused.

Our Investigator also said as Transunion process personal data, it's compliance with the Data Protection Act 2018 (DPA) and General Data Protection Regulation (GDPR) is overseen by the Information Commissioner's Office (ICO). And that he noted Mr S had already referred his concerns about Transunion's obligations to process data correctly to the ICO.

Our Investigator also said he didn't think compensation was due to Mr S as there wasn't an indication Mr S lost out financially or suffered significant distress because of Transunion's delay.

Mr S' response to our Investigator's view

Mr S said he has suffered distress because the incorrect data was not rectified within the timeframe set by the DPA 2018.

Mr S also said he wanted to bring Article 82 of GDPR to our Investigator's attention which says that a data subject has the right to compensation for any non-material damages for any infringement of regulation. And as Transunion didn't rectify his data within one calendar month and accepted liability saying they are working eight to ten weeks behind, Mr S feels compensation is due.

Mr S asked for an Ombudsman to review his complaint, so it's been passed to me to decide.

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.

In deciding this complaint, I've taken into account any relevant law and regulations, regulator's rules, guidance and standards, and (where appropriate) what is considered to have been good industry practice at the relevant time.

Putting this into practice, while I'm required to take into account the law, I'm not bound to reach the same outcome as the law may say, because I'm required to decide matters on a fair and reasonable basis.

Transunion's role as a CRA

As a starting point for deciding Mr S' case, I've thought about what the ICO's guidance says regarding CRA's, which I think is helpful to refer to. In summary, the guidance explains that third party companies, such as lenders, pass information to the CRA and is responsible for the information that appears on a credit file. While the CRA, Transunion in this case, aren't able to amend the data without the permission of the company responsible for that

information, Transunion is expected to take reasonable measures to ensure the information being reported is accurate.

Balance showing incorrectly for Mr S' account with B

Transunion have said account balances aren't shown in real time and I can understand why as lenders, like B, will often provide monthly updates about accounts to Transunion. I asked Transunion for evidence of what the balance shows for Mr S' account with B on his credit file and they provided a screenshot, which I've reviewed. I can see the current balance for this account from December 2024 is showing as zero. And Transunion said this was done by February 2025. So, with that said, I'm satisfied Mr S' account balance with B has been updated in the right way.

An address link issue

It's clear something went wrong – B acknowledged they were incorrectly reporting an address link that didn't relate to Mr S on his credit file. But I can't consider B's actions in this complaint as this is a complaint about Transunion.

I've gone on to think about whether Transunion acted fairly at the point they were made aware an error happened by B and were asked to stop reporting the address link. In doing so, I've considered what Mr S has said about Transunion being in breach of the DPA as they didn't rectify the error within the timeframe set by the DPA.

Although Mr S hasn't specified what part of the DPA Transunion haven't adhered to, I've considered Section 46 which refers to 'Right to rectification' as I think this is relevant in Mr S' complaint. This says:

Right to rectification

- (1) The controller must, if so requested by a data subject, rectify without undue delay inaccurate personal data relating to the data subject.*
- (2) Where personal data is inaccurate because it is incomplete, the controller must, if so requested by a data subject, complete it.*
- (3) The duty under subsection (2) may, in appropriate cases, be fulfilled by the provision of a supplementary statement.*
- (4) Where the controller would be required to rectify personal data under this section but the personal data must be maintained for the purposes of evidence, the controller must (instead of rectifying the personal data) restrict its processing.*

Mr S also referred to Article 16 of GDPR which says *"The data subject shall have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement."*

I can't see that neither the Section of the DPA nor Article 16 set out a specific timeframe for inaccurate data to be rectified by. And instead, they refer to action being taken without undue delay. I've considered that it took Transunion between end of November to early-January, so around six weeks, to stop reporting the incorrect address link.

I do think there was a delay in Transunion acting to rectify the incorrect information, which I note isn't in dispute. I've thought about the reason for the delay given by Transunion as well as the fact that this issue happened over the Christmas period. While I appreciate this was

frustrating for Mr S, especially as it wasn't something within his control, I don't think this delay was a significant one, once I've taken into consideration the timing being over the Christmas period. Even if I did think it was significant, it doesn't necessarily follow that I would ask Transunion to award compensation for not acting without delay.

When thinking about whether Transunion should pay Mr S compensation, I've considered Article 82 of GDPR Mr S has referred to. In summary, this Article refers to a person's right to receive compensation from the controller or processor for the damage suffered as a result of an infringement of the regulation.

Mr S said while our Investigator didn't think he'd suffered any financial impact, that he suffered distressed because Transunion didn't rectify his credit file without delay. And that the legislation shows he's due compensation for this.

While I've considered this Article, as mentioned earlier on in my decision, I'm not bound to reach the same outcome as the law. Fundamentally, it's my judgement based on my fair and reasonable remit as to whether I think there has been damage caused to Mr S. I'm aware Mr S has said he's suffered distress, but he's not provided me with detail as to how Transunion's delay has caused him distress. On this basis and also taking into account our service's published guidance on compensation for distress and inconvenience, I'm not going to ask Transunion to pay compensation as I'm satisfied their apology remains fair. So, I won't be asking Transunion to do anything more.

My final decision

For reasons explained above, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 13 May 2025.

Leanne McEvoy
Ombudsman