

## The complaint

Mr C complains Experian Limited is incorrectly reporting a Bankruptcy Restriction Undertaking (BRU) on his credit file after it ended.

## What happened

Mr C entered a BRU in January 2020. It ended in July 2023 and has now been removed from the Insolvency Register. As a result, he says Experian should no longer be reporting it on his credit file and says other Credit Reference Agencies (CRA's) have removed it.

Unhappy, Mr C complained to Experian, but it said a BRU remains on a consumer's credit file for six years from the start date, or until it ends – if that's more than six years later. It considered this was still the case, even after the BRU had come to an end, or been discharged. As a result, it didn't consider it had acted unfairly.

As Mr C remained unhappy, he brought his complaint to this Service. An Investigator here reviewed matters but concluded Experian hadn't acted unfairly as bankruptcy information can show on a credit file for six years from the start of the order. And as six years hadn't yet passed, the information was accurate.

Mr C didn't agree, saying Experian was the only CRA still reporting this data, so he didn't consider it aligned with industry practice. He also said this may negatively affect any future credit applications he makes.

As no agreement has been reached, this complaint has 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 doing so, I've taken into account the relevant industry rules and guidance, and what would be considered as good industry practice.

I should start by saying, in this decision I can only comment on the actions of Experian, not that of any other CRA. Even if they are reporting information differently, it doesn't necessarily mean Experian has acted unfairly or incorrectly.

Mr C's BRU started in January 2020 and ended in July 2023, but I don't think that means the record of this should then be removed from a credit file. I say that because, the BRU Mr C entered says:

*"Bankruptcy Restriction Undertakings appear on your credit report for six years from the original date shown unless the end date is over six years, in which case the Bankruptcy Restriction Undertaking will remain on your report until the end date shown"*

Effectively, this says a BRU can show on a credit file for six years after the date it started – here that was January 2020. And because Mr C's BRU has ended it will be six years from

January 2020 that it's reasonable for it to be reported on his credit file.

The Information Commissioner's Office (ICO) also says:

*"This may stay on your credit reference file for six years from the date of your bankruptcy, even if you have been discharged (freed) from bankruptcy. A bankruptcy restrictions order may remain on your credit reference file for longer."*

As a BRU has the same legal effect as a bankruptcy restriction order (BRO) - it just generally means an individual didn't need to attend court for it to be obtained – I think it's therefore reasonable to take into account guidance from the ICO about BRO's when considering this case.

Having done so, I don't consider Experian has acted unfairly or incorrectly in reporting details of Mr C's BRU on his credit file, even after it has ended. This also means, I don't think Experian can be held accountable for any impact this may, or may not have, on Mr C's credit file. As such, I won't be asking it to take any action here.

### **My final decision**

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

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr C to accept or reject my decision before 18 July 2025.

Victoria Cheyne  
**Ombudsman**