

## **The complaint**

Miss M complains that Equifax Limited sent her a letter advising her that someone had tried to access her credit report but they haven't passed this to the fraud team to investigate.

## **What happened**

Miss M received a suspicious activity letter from Equifax advising her that someone had tried to access her credit report.

Miss M contacted Equifax, who said they weren't able to discuss the account unless Miss M provided verification documents. Miss M didn't want to provide verification documents because she was concerned that the information might be passed on to scammers. Miss M says she was told by Equifax that if she provided her name and address, they would tell her if someone had accessed her data. Miss M provided these details but says that Equifax refused to tell her if someone had accessed her report and advised her it required verification documents.

Miss M raised a complaint. Equifax didn't uphold it. In its final response Equifax said that as a credit reference agency it stores and processes information about individuals which is collected from a number of sources. It said it applied identity verification processes to ensure that the data it held on individuals can only be accessed by the individuals themselves as well as organisations authorised by those individuals to access their credit information. Equifax said that when its systems detect suspicious activity on an account it will send a letter to the customer and ask them to contact them and answer verification questions and provide verification documents, which it then sends to the fraud team who make a decision on whether to unlock the account. Equifax said it could see from its call logs that Miss M had refused to provide verification documents and therefore the account would remain locked. It said it was unable to discuss unverified account information with customers.

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

Our investigator didn't uphold the complaint. She said that Equifax hadn't acted unreasonably by blocking the account and requiring verification documents from Miss M, as this was part of its fraud prevention processes.

Miss M didn't agree. She didn't think it was reasonable for Equifax to require her passport as verification when her account had been subject to a data breach.

Because Miss M didn't agree 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.

I know it will disappoint Miss M but I agree with the investigators opinion. I'll explain why.

I've read and considered the whole file, but I'll concentrate my comments on those points

which are most relevant to my decision. If I don't comment on a specific point, it's not because I've failed to take it on board and think about it, but because I don't think I need to comment on it in order to reach what I think is the right outcome.

I haven't been able to listen to any calls between Miss M and Equifax because these haven't been provided by the business. I understand that on one of the calls Miss M made a Subject Access Request which she says hasn't been dealt with. This doesn't form part of Miss M's initial complaint to Equifax so if she wants to pursue this aspect, she'll need to make a formal complaint to Equifax about the SAR and allow them to investigate.

I'd like to acknowledge that this has clearly been a distressing experience for Miss M. She's told this service that when Equifax responded to her complaint, they told her that someone had accessed her data. She's also said that she'd discovered searches on her credit file which don't relate to applications she's made. And she's frustrated that Equifax hasn't passed the matter to its fraud team to investigate.

I've reviewed the final response letter from Equifax dated 1 February 2025. It contains a full explanation of its processes when suspicious activity is detected on an account. I'll comment on that later in this decision. I can see from the letter that the person who accessed Miss M's account was able to provide accurate personal information about Miss M which was sufficient to pass Equifax's security checks and access her credit information. The letter doesn't specifically state that there has been a data breach. However, I understand that Miss M hasn't given anyone else permission to make an application on her behalf, so I understand her concern here.

If there has been a data breach, that isn't something which this service is able to look into. Miss M could (if she wants to) contact the Information Commissioners Office and log the breach.

Turning now to whether Equifax treated Miss M fairly and reasonably. I can see that Equifax sent Miss M a letter advising her that there had been suspicious activity on her account and asked her to contact them. When Miss M spoke to Equifax, they asked her to provide verification documents. I understand Miss M's reluctance to provide this, given what had happened. However, I don't think it was unreasonable for Equifax to refuse to discuss the account with Miss M until she had provided verification documents. I say this because Equifax – like all credit reference agencies - is obliged to have processes in place to protect consumers from fraud and make sure that it doesn't provide further account information to someone who isn't the account holder. The reason why Equifax requested verification documents from Miss M was so it could confirm that it was speaking to the right person. Equifax has explained in its final response letter that once it has the verification documents, it refers the matter to its fraud team for investigation.

I appreciate that Miss M wants to know who created the account and when. However, as I've said above, I don't think it was unreasonable for Equifax to refuse to discuss the account until Miss M provided verification documents, because this is a proportionate fraud prevention measure.

This service can't require a business to change those processes, but we can look into whether the processes have been followed. In this case, I'm satisfied that Equifax has followed its process correctly and treated Miss M fairly.

Miss M has said that she doesn't want Equifax holding any of her data. I can see that Equifax addressed this point in the final response letter and explained that under General Data Protection Regulation (GDPR) Miss M's request for her information to be deleted doesn't automatically lead to a requirement for data processing to stop or for personal data

to be deleted. This is because credit reference agencies hold and process data under the Legitimate Interest ground which doesn't require an individual's consent. This service doesn't have the power to require Equifax to delete Miss M's data.

Having reviewed the available information, and for the reasons I've explained above, I'm unable to uphold the complaint.

### **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 M to accept or reject my decision before 17 June 2025.

Emma Davy  
**Ombudsman**