DRN-5665539

The complaint

Mr C complains that Cabot Credit Management Group Limited trading as Cabot Financial (Europe) Limited (Cabot) called his wife's phone about his debt leading to her finding out about his financial position.

What happened

Mr C has three mail order debts that were sold to a debt purchaser and are serviced by Cabot. Between 10 February 2024 and 1 November 2024, Cabot sent five text messages to Mr C, in an attempt to make contact and set up a payment arrangement. Mr C didn't respond to the messages.

As they hadn't been able to reach Mr C on his mobile number, they used another number they held for him to try to contact him. The number was obtained by Cabot as being associated to Mr C following a trace using a credit reference agency some years before.

They called the number on two occasions in November 2024, the first time they called it was unanswered, but on the second occasion the call was answered by Mr C's wife. Cabot's agent identified themselves by saying their name and the name of the company and asked to speak to Mr C (using his first name only). Mr C's wife said he was unavailable, and that Cabot had the wrong telephone number and hung up.

Following this, Mr C complained to Cabot, he said that his wife had been unaware of the level of financial difficulties he was in, but the call from Cabot had highlighted this to her and it had caused upset within his family unit resulting in him having to leave the house and be away from his children for a time.

He also complained that Cabot had saved his number when he hadn't given them permission and that he had previously told them his communication preference was email.

Cabot didn't uphold Mr C's complaint, they said they had been entitled to conduct a trace to obtain possible contact details for Mr C and they didn't need his permission to do this. They also said they had a legitimate reason for contacting him, and they hadn't disclosed any details to his wife about the account to his wife.

While dealing with the complaint Mr C spoke to a call handler at Cabot who he felt misled him into believing Cabot had only ever used Mr C's wife's number on two occasions, but it later transpired they had called or messaged it seven times since October 2019 including the two times in November 2024. He complained about this to them too.

Cabot didn't uphold this complaint point either, they said that the call handler hadn't made reference to how many times the number had been used in total, just that there had been two calls in November 2024 and confirmed the dates of those.

Mr C remained unhappy and brought his complaint to our service. Our investigator didn't think Cabot had acted unfairly and so didn't uphold Mr C's complaint. Mr C disagreed and so the matter 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.

I realise that I've summarised this complaint in less detail than the parties and I've done so using my own words. I've concentrated on what I consider to be the key issues. The rules that govern this service allow me to do so. If I've not reflected something that's been said in this decision, it's not because I didn't see it, it's because I didn't deem it relevant to the crux of the complaint. This isn't intended as a discourtesy to either party, but merely to reflect my informal role in deciding what a fair and reasonable outcome is.

I understand Mr C is very upset that his wife found out about his financial situation, and that there has been family consequences as a result. But my role here is to decide if Cabot did something wrong that led to Mr C's wife finding out or if they acted reasonably when trying to contact Mr C using the methods they did.

It's not in dispute that the debts are owed and belong to Mr C. He has indicated he was aware of the outstanding debts when he says he has spoken to Cabot many times over the years. So, I think it is more likely than not he also knew that he didn't have any arrangements in place to pay the debts.

Cabot have shown that they tried to make contact with Mr C five times across a number of months, by sending text messages to the phone number he says is the best one to contact him on. Given he knew he had no payment plan in place I'd say it's likely he had a good idea why they were trying to contact him too. But he chose not to respond to Cabot's attempts to connect with him.

In circumstances like this, where debt companies are unable to make contact with their customers, its common practice for them to conduct a trace. Traces are normally conducted by third party companies such as credit reference agencies, they gather information from various sources and provide the debt company with contact details that are likely to be linked to the person being traced.

In Mr C's case Cabot had information from a previous trace which showed another number that was associated with Mr C. They had tried to contact him on the number in previous years and had no response and importantly no reported issues from those attempts either. So there was nothing to alert them that this number didn't belong to Mr C. Cabot conducted their internal checks and felt the number was a likely match for Mr C and so made the choice to try and connect with him using the number. Based on what I've seen I don't think it was an unreasonable thing for them to do.

The first call went unanswered. And the second call was answered, the contents of which I've shared in the background of this decision. From listening to the call I'm satisfied Cabot never shared any info with Mr C's wife regarding the accounts. Mr C has told us himself that his wife searched the internet using Cabot's name and it was this that led her to know the level of his debt. But all Mr C's wife would have been able to find out from the search was that Cabot was a debt company, she wouldn't have been able to see the level of his debt, or that he had accounts with Cabot, although I accept it would have been a reasonable assumption for her to make at this point. But the fact is the only way she could have known about the level of his debt is if he told her. So, while I realise Mr C will have been in a difficult position when his wife asked him why Cabot were trying to contact him, I can't fairly say they have alerted his wife to the level of his debt. Albeit they may have been the catalyst for the conversation Mr C later had with his wife.

Mr C has also said that he told Cabot, at some stage in the past he would prefer email contact. Cabot have been unable to find any record of this, and Mr C doesn't remember how or when he would have told Cabot this. Given the lack of any supporting evidence here I'm not persuaded Cabot have made an error here in recording Mr C's contact preferences.

Cabot confirmed to this service, they have now updated Mr C's contact preference to show as email and said where possible they will use this. I think that is reasonable but it is worth pointing out to Mr C that having a preference doesn't mean Cabot can't contact him in another way if it is necessary, for example if he doesn't respond to emails he is sent.

Bringing all of this together I'm satisfied that Cabot has acting fairly when dealing with Mr C's account and I won't be asking it to do anything more here. I realise that this will be disappointing to Mr C but hope that my explanation of why I reached this decision has been helpful to him.

My final decision

For the reasons set out above, 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 C to accept or reject my decision before 19 September 2025.

Amber Mortimer
Ombudsman