

The complaint

X complains that Equifax Limited (Equifax) are displaying data incorrectly on his credit file and they haven't dealt with his Data Subject Access Request (DSAR).

What happened

X made a DSAR request to Equifax and raised concerns about two accounts that were being displayed on his credit file – one for a utility bill and one for a credit card account – I'll refer to the businesses for each account as UB and CC respectively.

Equifax provided X with details on their DSAR process and explained what he needed to do in order to obtain the information he was looking for. They also raised disputes with UB and CC about the data they were reporting about X.

UB responded to the dispute saying that the information was correct and was for the supply of energy at X's address, but that if X disagreed, he could provide evidence to show he wasn't liable, either through Equifax or directly. They didn't give Equifax permission to remove the data.

CC also responded saying they believed the information they were reporting to be correct and didn't give Equifax permission to delete it. Instead, they advised that X could contact them directly for more information as they were dealing with a complaint he had raised.

Equifax relayed both of these responses to X.

X complained that Equifax should remove the data, he also complained that they hadn't dealt with his DSAR request. Equifax didn't uphold his complaint about either of those points but did notice that CC had sold the account to a debt purchaser (DP) and this wasn't displaying correctly on his credit file, they amended this and offered X £30 for the error.

X asked Equifax to increase the offer to £100, which they declined to do. As he remained unhappy asked us to consider his complaint points.

Our investigator didn't think Equifax had done anything wrong and so didn't uphold X's complaint. X 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.

DSAR request

X has already accepted that this service cannot make a finding on whether or not Equifax has breached data protection rules and has told us that he has raised this separately with the relevant regulator. So, while I won't comment on that here, I have gone on to consider if they acted fairly when X made his original DSAR request.

I can see that when X made his initial request Equifax explained to him that they deal with DSAR requests in two different ways depending on what information the person is looking for. They went on to explain the differences. The first being a limited DSAR – which is a statutory credit report – they explained how he could receive this either online by setting up an account or by post. The second option was a full DSAR – which included other information including marketing, identity verification data, customer service data and other things. They sent him information on what he would need to do to obtain this type of DSAR.

X set up an account and accessed his statutory credit report. But I can't see that he made any application for a full DSAR. He has said he tried but he couldn't access the system to do this, but he hasn't provided anything to support that, and Equifax system notes don't support that there was an application made or any reports from X that he couldn't access the system. So, without them being aware of his struggles to make the application I can't see that Equifax could have done anything else to help X here.

Having said that I can see that he wrote to an executive at Equifax saying he wanted information on two companies that were reporting incorrect information to his credit file, He wasn't explicit on what information he was looking for. Equifax responded to this letting him know they had raised disputes with those businesses (UB and CC). They also reiterated to him what he needed to do if he still required a full DSAR. Based on this I'm satisfied they dealt with his request fairly and explained what he needed to do if he wanted further information from them.

Accounts in dispute

I think it would be helpful for me to explain here Equifax are a credit reference agency (CRA) – they don't own the data they display on a credit file. The data is owned by the data suppliers – in this case UB and CC. If a data subject – in this case X – feels information being displayed in the credit file is incorrect then they can let the CRA know or go directly to the business that is reporting the data. In the case they let the CRA know as X did here. The CRA is required to follow a dispute process where they raise the matter with the business reporting the information. The reporting business then needs to give a response and either permit or deny permission for the data to be removed. The response they give to the CRA should be passed to the person raising the dispute. If the reporting business doesn't give permission for the data to be changed, then the CRA must leave it as it is. This is because as I explained above the CRA doesn't own the data - the reporting business does. And in any case if they made changes to the data without permission of the reporting business the change would be overwritten at the next update – which generally happens monthly.

So, with this in mind I have thought about X's complaint that Equifax should remove the data they are displaying in respect of UB and CC. And having done so I'm satisfied Equifax has acted fairly in continuing to display the information on X's credit file. I say this because I have seen evidence that Equifax raised the disputes with both companies and I have seen the responses each of them gave – both denied permission for Equifax to remove the data and asked that X contact them directly or provide more information. I have also seen that Equifax passed this information on to X in a timely manner. Based on this Equifax have done everything they needed to do to deal with X's dispute that the data was incorrect.

X has said that Equifax have proven they can remove data without the permission of the reporting business as they changed some data on the CC entry and removed the entry. That isn't quite right. Equifax identified an error in the way they were displaying some information on CC, and they corrected this. They didn't remove the reporting of the data. They offered £30 for this error and I think that is proportionate in the circumstances.

I accept that X says the data has now gone, although I haven't seen this, but I think there is a different explanation for this – I'll explain. CC sold the account to DP. When CC sold the account, they had two choices about how to report it.

- They could continue to report it as defaulted – satisfied (this is because DP has paid them for the debt) and let DP report it also but as defaulted only (this is because the debt is now owing to them); or
- They could stop reporting it altogether and just let DP report it.

So, if the CC data is no longer showing on X's credit file, I think it is more likely than not that it is because CC decided to stop reporting it.

Bringing all of this together, I'm satisfied that Equifax have treated X fairly when dealing with his DSAR request and his disputes about the data on his credit file. So, it follows I won't be asking them to do anything differently here.

I know X will be disappointed with this outcome, but my decision ends what we – in trying to resolve his dispute with Equifax – can do for 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 X to accept or reject my decision before 28 October 2025.

Amber Mortimer
Ombudsman