

## **The complaint**

Mr R complains about the way that Clydesdale Bank plc, trading as Virgin Money, has dealt with his credit card account.

## **What happened**

Mr R has a credit card account with Virgin Money. His account was in arrears and he complained to Virgin Money in March 2025 about the enforceability of the credit card agreement and its continued processing and sharing of his personal data. He also made a data subject access request to Virgin Money.

It didn't uphold his complaint and said that it was in the process of responding to his data subject access request. It then asked Mr R to provide identification verification but he didn't do so. Mr R wasn't satisfied with Virgin Money's response to his complaint so he complained to this service. He said that Virgin Money had: failed to address or rebut the legal arguments in his dispute; provided no legal justification for enforcement or data processing; rejected his objection under data protection rules without reasoning; and continued reporting to the credit reference agencies contrary to the Financial Conduct Authority's rules.

His complaint was looked at by one of this service's investigators who, having considered everything, didn't recommend that it should be upheld. He said that Mr R didn't make the repayments to his credit card on the dates they were due, resulting in accurate information being registered with the credit reference agencies and that the terms and conditions of his credit card confirm that any missed payments will be reported to the credit reference agencies.

Mr R didn't accept the investigator's recommendation and requested that his complaint be escalated so I've been asked to issue a decision on this complaint. He says, in summary, that: despite his account being disputed since March 2025, subject to a live suppression objection and under investigation by this service, Virgin Money issued a notice of sums in arrears in June 2025 demanding £653.74 and continuing credit reference agency reporting which proves that it's acting in breach of Financial Conduct Authority and data protection rules and is causing ongoing credit reference agency harm. He has described the escalating medical harm and loss of work capacity that he's been caused and asks that Virgin Money be required to cease all enforcement activity, permanently suppress credit reference agency reporting, close the account with no liability and provide redress of £10,000.

## **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.

Mr R has a credit card account with Virgin Money and it has provided evidence to show that he made balance transfers to the account in June 2023 and that he's made monthly payments to his account. Virgin Money has been writing to Mr R regularly since November 2024 about arrears on his account and he complained to it in March 2025 about the enforceability of the credit card agreement and its continued processing and sharing of his

personal data.

Virgin Money is required to report true and accurate information about Mr R's credit card account to the credit reference agencies. Mr R hasn't been making the required payments to his credit card account and Virgin Money has reported adverse information to the credit reference agencies. I'm not persuaded that there's enough evidence to show that the information that it's reported to the credit reference agencies about Mr R's account isn't true and accurate or that it's breached any Financial Conduct Authority or data protection rules in reporting that information. Nor am I persuaded that there's enough evidence to show that the credit card agreement isn't enforceable or that Virgin Money acted incorrectly in issuing a notice of sums in arrears to Mr R in June 2025.

Mr R made a data subject access request to Virgin Money in March 2025. It sent him an email in June 2025 and asked him to provide identification verification. I consider that it was fair and reasonable for it to ask him to verify his identity but I can't see that he's done so and Virgin Money hasn't provided him with the information that he requested. I'm not persuaded that there's enough evidence to show that Virgin Money has acted incorrectly in response to Mr R's data subject access request.

I'm not persuaded that there's enough evidence to show that Virgin Money has acted incorrectly in its dealings with Mr R's credit card account. I find that it wouldn't be fair or reasonable in these circumstances for me require Virgin Money to take any action in response to Mr R's complaint.

### **My final decision**

My decision is that I don't uphold Mr R's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R to accept or reject my decision before 2 September 2025.

Jarrold Hastings  
**Ombudsman**