

The complaint

Miss H complains that Capital One (Europe) plc ('Capital One') reported missed payments to the Credit Reference Agencies ('CRAs') without telling her this would happen.

Miss H wants her credit file amended and for her distress and inconvenience to be recognised.

What happened

Miss H agreed to pay Capital One reduced payments of £50 a month from November 2024, due to the costs of a family bereavement. In February 2025, she called Capital One as she'd noticed missed payments being reported to her credit file. In April 2025 Miss H amended her payments, and complained about what had happened.

Capital One accepted poor service during calls in February 2025 and April 2025, for which they credited £100 to Miss H's account. However, they didn't accept they'd got anything wrong when agreeing forbearance measures with Miss H or reporting her account to the CRAs.

Unhappy, Miss H referred her complaint to the Financial Ombudsman Service. Our investigator didn't think Capital One had acted unfairly. Miss H asked for an ombudsman's decision, setting out in detail why she thought her complaint should be upheld.

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've taken into account any relevant law and regulations, the regulator's rules, guidance and standards, codes of practice and (where appropriate) what is considered to have been good industry practice at the relevant time.

I recognise how upsetting this matter's been for Miss H, particularly as she is grieving. I also want to thank Miss H for the concise and helpful way she's set out her position in relation to her complaint. I don't wish to add to what is already a difficult time but having considered everything, I've decided not to uphold her complaint. I think the resolution already provided by Capital One was fair and reasonable. I'll explain why.

I acknowledge Miss H has supplied references and extracts from some of the published cases our service has previously considered, to support her position. I think it's important to say that I don't rely on previous cases to ensure my decision mirrors the findings of other ombudsmen because I must give my decision impartially, based on the individual circumstances of each case.

What I must consider here is whether Capital One's communication with Miss H was fair and clear, in line with their obligations. That doesn't mean I am looking for what could have been

better, rather I am looking at what was necessary to enable and support Miss H to make an informed decision about her account.

On 28 November 2024 Capital One advised that if Miss H paid £50 a month her account would default within a short period, because her arrears would soon reach the six month level. Capital One's letter dated 29 November 2024 said Miss H would receive statements referring to her minimum payments but invited her to pay what was affordable. It also said her breathing space wouldn't be reported to the CRAs but it wouldn't change how they reported things like late payments.

I think Capital One's information made it clear that Miss H's payment of £50 was not a new minimum payment, that Miss H's payment obligations weren't paused and that arrears would accrue. I also think it put Miss H on notice that ongoing information about her account would be sent to the CRAs.

Miss H says Capital One didn't ask her the right questions and didn't present her with options in the context of what she was seeking. I've listened to the call in November 2024 and I have a different view. Capital One identified that Miss H had a considerable disposable income, but Miss H said she would prefer to allocate this to paying around £4,500 back to family who had paid funeral expenses on her behalf. She didn't think that would take her more than a few months. I don't think it's unreasonable that Capital One acted on the information Miss H gave them and explained the breathing space option to her in which she'd pay £50 a month – a sum that Miss H suggested.

I acknowledge Miss H feels she could have avoided negative information on her credit file by paying more under a formal repayment plan. It may help Miss H to know that measures of this kind are typically reported to the CRAs under an arrangement marker. To avoid anything negative being reported going forwards, I think Miss H would have needed to clear her arrears in a lump sum and maintain her monthly payments. I don't think this was realistic as Miss H had called Capital One for help in November 2024 and was in arrears and over her limit at the time.

Capital One did explain that if Miss H wanted to pay more than £50 she could, but if this was a regular thing then she should ring back to go on a different plan. So I think Capital One made it clear there were other options but these weren't explored further by Miss H. Miss H was also referred to sources of free and independent money advice, which I think was good industry practice and in keeping with Capital One's obligations to support Miss H.

Having considered the evidence, and whilst fully recognising Miss H's strength of feeling on this matter, I have concluded Capital One met their obligations when communicating with Miss H and I'm not going to ask them to amend her credit file.

Miss H is concerned that the missed payments reported by Capital One don't give any context to what was happening, which she doesn't think is fair. I wouldn't expect Capital One to provide context about Miss H's circumstances when reporting to the CRAs as they simply provide the account information. However, this is something Miss H can add for herself in her own words, with a notice of correction. This is a short statement that is available for potential lenders to review when looking at Miss H's credit file. To add this, Miss H would need to contact each of the main CRAs.

Capital One paid Miss H compensation of £100 for a call disconnecting in February 2025 and some misinformation in April 2025. I think that's fair, and in line with what I might have awarded if Capital One had not made this offer. I don't think Capital One need to do more than this.

My final decision

For the reasons I've outlined, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss H to accept or reject my decision before 9 October 2025.

Clare Burgess-Cade
Ombudsman