

## **The complaint**

Miss E complains that Capital One (Europe) plc (Capital) gave her incorrect information in relation to her overdue payments.

## **What happened**

Miss E complains that Capital told her that her account had been over the limit for around three months, when in reality her payments were only a few days late. Miss E said the situation caused her severe stress as she suffers from mental health issues.

In July 2025, Capital issued their final response to Miss E's complaint. In summary, they said an email had been sent to Miss E advising that her account was over the limit. They explained this was only temporary, as some payments Miss E had made had not yet cleared on her account in time. However, they acknowledged that Miss E was given incorrect information during a phone call with one of their agents regarding how much she had paid. They also acknowledged that the agent had incorrectly told her that her account had been over the limit for the past two months. Capital said they would credit her account with £50 for the distress and inconvenience caused.

Unhappy with their decision, Miss E brought her complaint to our service, where it was passed to one of our investigators to look into.

To resolve things, Miss E says she wants Capital to increase the compensation to £500, clear her outstanding balance, and provide a sincere apology.

Within their file submission, Capital increased their offer of compensation to £75. However, Miss E declined the offer, saying she believed the lasting impact of what happened was being downplayed by them.

In August 2025, our investigator issued their view and recommended that Miss E's complaint should not be upheld. In summary, the investigator concluded that the offer of £75 was fair and reasonable given the circumstances.

Miss E did not accept the investigator's view. She said that due to her mental health issues, the impact on her had been profound. As the investigator's view remained unchanged, Miss E asked that her complaint be referred to an ombudsman for a final decision.

## **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.

Firstly, I acknowledge what Miss E has told us about her mental health conditions, and I'm sorry to hear about this. I recognise this would have made things more difficult for her. If she hasn't already done so, Miss E may decide to seek further support from recognised organisations. Further information about this can be found on our website at the following address: <https://www.financial-ombudsman.org.uk/accessibility/additional-support>

In considering what is fair and reasonable, I've reviewed all the evidence and information provided afresh, along with the relevant law and regulations, regulators' rules, guidance and standards, codes of practice and, where appropriate, what I consider to have been good industry practice at the relevant time.

I've read and considered the entire file, but I'll focus my comments on what I think is relevant. If I don't comment on a specific point, it isn't because I haven't taken it into account, but because I don't consider it necessary to comment on it in order to reach the right outcome.

In this instance, it's not disputed that Capital provided incorrect account information to Miss E. Capital confirmed in their final response that one of their agents told Miss E her account had been over the limit for two months, and that the payment she made initially was insufficient—both of which were incorrect. Miss E also complains about this.

So, I'm satisfied that Capital gave Miss E incorrect payment and account information during a phone call she had with them in July 2025.

As I've concluded Capital made some errors, I've considered what they should do to put things right.

Capital have already apologised to Miss E (in their final response) for the situation and offered her £75 in compensation for the distress and inconvenience caused. However, Miss E believes this is inadequate given the impact it had on her mental health. She said she didn't feel her mental health was suitably taken into consideration.

As part of their file submission, Capital confirmed they recorded a vulnerability on Miss E's account in July 2025 following the phone call. In addition, in an email to the investigator in July 2025, Miss E said she didn't feel the need to inform Capital about her mental health condition. So, I don't consider they would have been aware of her situation prior to the error. I also don't consider they could have taken any different action given they weren't aware of the potential impact the situation could have had on her.

The material and financial impact on Miss E has been minimal. For example, there's been no impact on her credit file and no fees incurred.

I think the offer of compensation is a fair recognition of the mistake Capital made, and so I don't consider they need to take any further action in relation to this complaint.

### **My final decision**

To settle the complaint Capital One (Europe) plc has made an offer to pay Miss E £75 in compensation for the distress and inconvenience caused. I think this is fair in all the circumstances. So, I'm not going to ask Capital One (Europe) plc to do anything more.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss E to accept or reject my decision before 26 February 2026.

Benjamin John  
**Ombudsman**