

The complaint

Mrs H complains about the service she received from American Express Services Europe Limited (“American Express”), in relation to her credit card account.

What happened

The background to this complaint is well known to both parties, so I won’t repeat it at length here.

As a summary, Mrs H held a credit card account with American Express for a number of years. In December 2024, Mrs H made American Express aware of a change in her circumstances. It was agreed Mrs H’s credit card would be cancelled, meaning no further interest or charges would be applied and the account would be administered by a third party on behalf of American Express, to agree an affordable repayment plan.

Mrs H’s account was initially passed to a company I’ll call “N”. It’s evident Mrs H was keen to agree a repayment plan that avoided any adverse information being recorded on her credit file. Mrs H raised concerns about the service N was providing which in part resulted in adverse information being reported on her credit file. It was then agreed her account would be handled by another company.

The administration of Mrs H’s account was then passed to a company I’ll call “C”. Again, Mrs H raised concerns about the service she received and her account was passed back to American Express.

During this period Mrs H raised concerns about the service she’d received from American Express and its agents. Mrs H raised concerns about the failure to provide clear overview of the arrears on her account; that American Express had recorded adverse information on her credit file and hadn’t responded to data subject access requests (DSAR’s) as it should have. Mrs H complained this had had a serious negative impact on her, particularly considering her circumstances at the time.

American Express issued a number of responses to Mrs H’s concerns. As a summary, American Express eventually agreed to write off Mrs H’s outstanding credit card balance based on her medical evidence. It also removed late payment markers from Mrs H’s credit file.

Across its responses, American Express paid Mrs H £550 compensation to apologise for the service it provided. I note £100 of this was used to reduce Mrs H’s outstanding credit card balance, before American Express made the decision that it wouldn’t require Mrs H to pay this back.

Unhappy with American Express’ responses, Mrs H referred her concerns to our Service. One of our Investigator’s looked into what happened. Overall, she thought American Express could have done more to support Mrs H, during what was evidently a difficult time.

Our Investigator thought American Express had now taken reasonable steps to put things right in relation to the credit card account and had been reasonable in its response to Mrs H's DSAR's. Our Investigator recommended American Express pay Mrs H a further £400 to acknowledge the distress and inconvenience caused.

American Express accepted our Investigator's recommendations. Mrs H disagreed providing further comments, which I've summarised:

- The DSAR's weren't adequately responded to;
- Additional costs were incurred for medical treatment, due to American Express' failings, so it should reimburse these costs; and
- The compensation falls short of the distress and inconvenience caused.

As the matter wasn't resolved, the complaint 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 want to acknowledge that I've summarised the events of the complaint. I don't intend any discourtesy by this – it just reflects the informal nature of our service. I want to assure Mrs H and American Express that I've reviewed everything on file. And if I don't comment on something, it's not because I haven't considered it. It's because I've concentrated on what I think are the key issues. Our powers allow me to do this.

Fair compensation

I note in response to our Investigator's opinion, Mrs H clarified that she was only asking our Service to review her concerns about the difficulties she faced in getting information about the arrears on her credit card with a view to preventing adverse information being recorded on her credit file, alongside American Express' response to her DSAR's.

In reviewing the history of what happened, I do find this has been a concern of Mrs H's since agreeing to a repayment plan and I find it to be inextricably linked to the overall service Mrs H has received since asking American Express for support following her change in personal circumstances. Therefore, I've found it appropriate, under my inquisitorial remit, to look at the whole picture and consider the overall service American Express provided during this period.

In doing so, alongside considering the compensation American Express has previously offered, I think it's also relevant to note complaints Mrs H has raised with N and C, as both were acting as agents of American Express at the time. Both N and C agreed to pay Mrs H £200 in recognition of the shortfalls in service they provided when acting on American Express' behalf in administering Mrs H's account.

I haven't found it necessary to set out all the service failings of American Express, as all parties accept that the service Mrs H received should have been better and it isn't the role of this service to punish a financial business, rather when something has gone wrong, I must determine what a fair outcome is. While I haven't gone into detail on all the concerns Mrs H has raised, I want to reassure her, I've considered these points and I don't doubt this would have been a highly stressful time, particularly considering her circumstances at the time.

Taking everything into consideration, I do find the recommended increase in compensation of £400 to be reasonable and a fair outcome to this complaint. This would see American

Express pay £950 compensation. While a monetary payment doesn't take away from Mrs H's experience; the challenges faced and upset caused, I do find this amount fairly recognises the errors made by American Express and is in line with how our Service awards compensation.

I note Mrs H has said she didn't have the benefit of £100 compensation previously awarded by American Express. This was because it was used to reduce the outstanding balance of her account, before American Express then confirmed it wouldn't pursue the outstanding balance. While I appreciate Mrs H may be frustrated about this, I don't find American Express has done something wrong or that it must pay this again.

At the time of awarding this £100 compensation, Mrs H owed a balance to American Express and its offer was to apply this to the outstanding balance, which is a decision it was entitled to make. That American Express later decided that it wouldn't hold Mrs H liable for the remaining balance, I don't find means that American Express must then pay this amount again.

I've also considered Mrs H's claim for consequential losses, which is costs, such as medical treatment she says she's only incurred because of American Express' actions. While I'm sorry to hear of what Mrs H has been through, I'm not persuaded American Express is liable for these costs, so won't be directing it to pay anything towards these.

As our Investigator explained, I would need evidence that Mrs H required this treatment solely due to American Express' actions. Having considered the evidence provided, while I appreciate Mrs H's position on these treatments, I don't find the evidence definitively demonstrates that this was solely required due to American Express' actions.

Added to this, to award for consequential losses, I would also need to be satisfied that American Express was aware Mrs H was likely to incur these costs at the time because of its actions. Taking all of these points into consideration, I don't therefore find that American Express must pay for the additional costs Mrs H has claimed for.

Response to DSAR's

My understanding is Mrs H is unhappy with the time taken for American Express to respond to her DSAR's, particularly the second one. It isn't for this service to determine whether American Express has met data protection regulations, rather that would be for the Information Commissioners Office. Rather I can consider whether I find American Express acted fairly and reasonably having received Mrs H's requests.

American Express has confirmed it responded to the DSAR Mrs H submitted in October 2025, on 7 November 2025 via email. So, considering the time taken to respond I haven't found American Express acted unreasonably here.

If Mrs H has further concerns about the contents of this DSAR, this would first need to be raised as a complaint with American Express. Should Mrs H then be unhappy with the response she receives, she'd have the option to refer this to our Service as a separate complaint.

Conclusion

In conclusion, I'm sorry to hear of the challenges Mrs H has faced in relation to her American Express credit card. The evidence clearly demonstrates this has been a difficult period and the actions of American Express has exacerbated this. While a monetary compensation payment doesn't take away from this experience, I do find a further payment of £400 to

Mrs H, to be fair in the circumstances and in line with how our Service considers compensation.

Therefore, to resolve this complaint, I find American Express should pay Mrs H a further £400 compensation.

My final decision

For the reasons I've explained, I uphold this complaint. To put things right, I direct American Express Services Europe Limited to pay Mrs H a further £400 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs H to accept or reject my decision before 22 May 2026.

Christopher Convery
Ombudsman