

complaint

Mrs S complains that NewDay Ltd send her letters about her store card account payments. She wants them to stop, and to be paid compensation for the upset the letters cause her.

background

Mrs S has a store card account provided by NewDay. She pays her account by direct debit. NewDay sent her a standard letter about the payment on her account. It said that she was making payments that were low compared to her account balance. Regularly making the minimum payments or just over the minimum would mean it would take her longer to pay off the amount and she would pay more interest. The letter then said that if she was able to make a higher monthly payment towards the balance that would reduce the interest she would pay and the time it would take to pay it off.

Mrs S complained to NewDay. The company replied to her saying that it sent the letters to help its customers pay their accounts quicker.

As she didn't agree with the response, Mrs S complained to us. She said that she got the letters weekly. She was always up to date with her payments but the company continued to contact her stating the payments needed to be increased. Receiving the letters upset her. She had recently been unwell and this made it worse.

In the adjudicator's opinion, NewDay had dealt with the complaint fairly. She said that it appeared the letters were only advising Mrs S that it would take longer to pay off the account if she paid only the minimum monthly balance. The company had told the adjudicator that the letters were part of their responsible lending programme. The adjudicator didn't think the letters had any demanding or threatening wording so she wasn't able to say that NewDay were forcing Mrs S to make additional payments.

The adjudicator also said that NewDay said that they only sent the letters every six months, not weekly as Mrs S had said. If Mrs S was able to provide her with copies of the letters sent weekly the adjudicator would look at it again.

Mrs S's partner wrote to us on her behalf asking for a decision from an ombudsman. He said that the account was not in arrears, that they paid by direct debit, they were not using the account, and the balance was low. They did not require this type of letter.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

I'm sorry to hear that Mrs S has been unwell, and that receiving the letters made her feel worse. But I'm afraid I will have to disappoint Mrs S as I agree with the adjudicator, for much the same reasons. I can understand that it is frustrating for Mrs S to receive letters that she doesn't want. But the letters aren't demanding extra payment, and don't have any threatening language. I think it is reasonable of NewDay to send the letter every six months as part of its responsible lending programme.

Mrs S told us that she got the letters weekly but she hasn't been able to give us copies of the letters showing this. I can see that weekly letters would be annoying but according to NewDay the letters are only supposed to be sent every six months. There is nothing in their computer system to show the letters were sent more frequently. NewDay says that if Mrs S were able to show the letters were received more often it would look at it again. I encourage Mrs S to do this if the letters do arrive more frequently. But I don't think it would be fair for me to decide that the letters were sent weekly based on the information I have so I can't give Mrs S any compensation for that.

my final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs S to accept or reject my decision before 30 June 2017.

Helen Wheatley
ombudsman