

## **complaint**

Mr S complains that Vanquis Bank Limited continues to contact him by telephone when he asked it not to.

## **background**

Mr S has a credit card with Vanquis. He has an outstanding balance on the card. Mr S is unhappy that he has received a large number of phone calls from Vanquis to discuss how he intends to repay the balance.

Mr S wrote to Vanquis in April 2013 to ask it not to contact him by phone. He asked it to contact him by post. Mr S also complained that he was unable to access his account online.

Mr S continued to receive calls from Vanquis. He sent another two letters in April 2013 asking it to contact him by post.

Vanquis responded to Mr S in writing in June 2013. It explained that it was policy to phone customers who had missed making payments. It refunded two charges to Mr S's account as a gesture of goodwill.

Mr S is unhappy that he continues to receive phone calls from Vanquis, and he brought a complaint to us to consider.

The adjudicator recommended that Mr S's complaint should be upheld. She considered that in accordance with the Lending Code, Vanquis should have agreed to Mr S's request and contacted him by post rather than by phone. The adjudicator recommended that it should pay Mr S £100 for distress and inconvenience.

Vanquis was not happy to accept the adjudicator's recommendation. It says that it does not subscribe to the Lending Code. The adjudicator noted this but considered that it should operate within the spirit of the Code.

## **my findings**

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint.

Vanquis has provided a copy of its records to show that 386 phone calls have been made to Mr S since September 2009. He has asked it on a number of occasions not to phone him, but instead to contact him by post. Despite this request, calls to him have continued.

I agree with the adjudicator that although Vanquis does not subscribe to the Lending Code, it should try and act within the spirit of the principles contained within it. I note that Mr S has made payments to his account when he has been able to, and that the balance outstanding is a relatively small amount. I consider that Vanquis should agree to Mr S's request and restrict its communications with him to written communication only.

I appreciate that Mr S has found the number of calls he received to be distressing, and that they continued when he asked them to stop. In light of this I agree with the adjudicator that he should receive £100 compensation for this.

**my final decision**

My decision is that I uphold this complaint. In settlement of it, I order Vanquis Bank Limited to restrict its communication to Mr S in writing only, and to pay him £100 for distress and inconvenience.

Rosemary Lloyd  
**ombudsman**