

## **complaint**

Mr K complains that the University of Bradford (the “University”) sent his details to a debt collection agency without providing him with any written notice. He says the unexpected demands from the University’s debt collectors had a particularly adverse effect on him because of a health condition, which the University was aware of.

## **background**

I issued my provisional decision on 10 October 2017 which said I was intending to conclude that:

- this service does have the necessary power to consider Mr K’s complaint, because his agreement with the University was a regulated credit agreement, and the agreement wasn’t an exempt agreement;
- in this case, the University had established and implemented policies and procedures for consumers whose accounts fell into arrears, and were vulnerable;
- the University made the circumstances in which Mr K’s personal details could be passed on to debt collectors clear to Mr K and he consented to that; and
- even if I were to find that the University could have communicated more clearly or more often with Mr K before sending his account to the debt collectors in early 2016, by refunding the £1000 he’d paid, and writing off the balance of the debt, they’d done more than I would have asked them to do, to put things right.

I asked both parties to let me have any final submissions or information they wanted me to consider, by 24 October 2017. The University didn’t provide a response to the provisional decision. However, Mr K made a number of additional submissions. He’s said (in summary):

- he believes the provisional decision fails to take into account that the last message he received from the finance department was a clear confirmation that his account was on hold. And he received no further communication before the finance department sent his details to debt collectors seven months later;
- he believes the decision contains a factual error, because the University’s debt policy contains ten steps not nine. And as he didn’t get a new notification about his debt being passed to debt collectors, he doesn’t believe the tenth step was satisfied, so the University didn’t follow its own policy;
- he says that the University didn’t have his consent to share his personal information with third parties because he withdrew his consent by objecting to the finance department when the issue of debt collection was first raised; and
- he’s unclear about the relevance of references to the compensation the University has already offered to him, because that seems unrelated to the question of whether or not they breached their obligations in regard to debt collection.

### **my findings**

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

Mr K's response to the provisional decision places particular emphasis on the fact that he feels the University failed to communicate the account was sent to a debt collector and didn't respond to the fact that he disputed the debt. However, the issue I need to decide is, if the University did anything wrong, has it done enough to put things right?

I've thought about the points Mr K has raised but they haven't caused me to change my decision. As I explained in my provisional decision, the University's actions in refunding the partial payment Mr K made towards his fees, and writing off the balance of his debt is sufficient to put right any communication failure here. And I note that took place before Mr K brought his complaint to this service.

So having considered Mr K's additional submissions, and all the evidence relating to his complaint, I remain of the view that the University doesn't need to take any further action in relation to Mr K's complaint. So I don't uphold this complaint.

### **my final decision**

For the reasons given in this decision and my provisional decision, my final decision is that I don't uphold this complaint and I don't make any award against the University of Bradford.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 22 December 2017.

Carolyn Harwood  
**ombudsman**