

complaint

Mr H complains that HSBC Bank plc wrongly registered credit information relating to another individual on his credit file.

background

Mr H says he had, for some time, found it difficult to get credit and didn't know why. He eventually obtained his credit file and discovered that adverse information had been registered against his name about a debt to HSBC.

Mr H says that the individual who owed this debt to HSBC was not him, and HSBC made a mistake in registering the information on his file. He believes that this caused the problems he had experienced getting credit and so asked HSBC to remove the information and compensate him for what had happened.

HSBC accepted that the information on Mr H's credit file did not relate to him. It apologised and arranged for the information to be removed as a matter of urgency. It offered Mr H £150 – later increased to £250 – in compensation.

Mr H did not feel that went far enough and so he brought his complaint to this service where an adjudicator investigated it. From the evidence, the adjudicator was not persuaded that HSBC had been responsible for the incorrect registration. In view of that, the adjudicator did not feel that HSBC need pay more than it had already offered Mr H.

Mr H did not agree and said that he felt HSBC must have been involved in the registration. In his view, an initial error by HSBC could well have led to other institutions incorrectly 'matching' the third party with him. He considered that the offer from HSBC fell far short of his total claim for just under £5,000 and also found that the registration was still showing up in his credit file. Mr H asked for his complaint to be reviewed, as he was entitled to do.

my findings

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

It is not in doubt that information about a debt owed by a third party to HSBC was wrongly added to Mr H's credit file. As well as the evidence Mr H and HSBC sent us, we also got evidence from the relevant credit reference agencies. From that, I cannot see that it was HSBC which incorrectly 'matched' the third party's debt to Mr H's name. So I am not persuaded that HSBC was to blame for someone else's credit information being put on Mr H's credit file.

Even though HSBC did not make the incorrect name match, once it was aware of the problem it had a duty to take steps to put things right. I am satisfied that, when Mr H brought the registration to its attention, HSBC moved quickly to amend the information. I appreciate that there has been a delay in this being publicly reflected in Mr H's credit file, but HSBC has done all it can to put things right.

HSBC has already offered to pay Mr H £250. Given my findings, I regard that as a fair settlement.

Mr H is not an HSBC customer. As HSBC did not actively ask him to pay the debt wrongly showing in his credit file there is potentially an element of doubt about whether the complaint is one that Mr H was, strictly, entitled to bring about HSBC under our rules. This potential issue was not entirely evident at the start, and so only came to light at a very late stage.

That said, HSBC has not given any indication that it regards the complaint as outside our jurisdiction and it has actively sought to arrive at a mediated settlement through the adjudicator. So neither party has sought to argue any jurisdiction point and both parties have benefitted from having the complaint looked into by us. The offer that I am approving was voluntarily made by HSBC. Given that, I am not persuaded that further consideration needs to be given to the issue of jurisdiction in this case.

my final decision

My final decision is that the offer of £250 already made by HSBC Bank plc to Mr H is fair and HSBC should pay it.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 29 December 2015.

Jane Hingston
ombudsman