

## **complaint**

Mr H thinks that Vanquis Bank Limited shouldn't have put a default on his credit file in 2013. He also thinks Vanquis was wrong to not offer him any potential protection for ill health which would've covered his monthly payments around this time, when he started to struggle financially.

## **background**

An investigator has already looked at this matter. She felt that Vanquis had acted fairly by registering the default when they did. She also explained that, despite offering a repayment option plan (ROP) to Mr H twice, he refused this type of protection. So she didn't think she could uphold the complaint.

As Mr H is still dissatisfied with the situation, the case has now been referred to me to look at. I've noted Mr H's further comments to our service about Vanquis refusing to accept a repayment plan which he proposed. Mr H is also adamant that he did notify Vanquis about the mental health challenges he was experiencing at the time. And that they failed to act appropriately in light of this information.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. Whilst I've looked at all the evidence, this decision will focus on what I think are the key issues in dispute.

### *the ROP*

A ROP is a plan that effectively freezes a debt on an account for up to 2 years, whereby no interest or charges are applied. Vanquis seem to have offered this to Mr H in September 2011 and October 2012. But as I understand Mr H declined this form of protection. I therefore can't say that Vanquis has done anything wrong in this respect. It should also be noted though that Vanquis wasn't obliged to offer Mr H this product.

### *the default*

Any updating of information on a consumer's credit file must be recorded accurately. This is very important. From what I can tell Mr H initially maintained regular payments on his account. But this then stopped. Vanquis issued a default notice in August 2013 and then applied the default around December 2013. The information Vanquis has provided to our service shows that Mr H told them he was experiencing financial difficulties. But not that there was any reference made to Mr H's mental health issues. I do understand that Mr H says he did notify them of this. I don't have enough evidence to be sure one way or another on this issue. But I think If Mr H did notify them of this, it would seem Vanquis failed to act appropriately in light of this information. One thing I do know is that Vanquis didn't act unreasonably by registering the default when they did. Mr H had missed several payments and had been given notice that they'd apply a default to his account.

I appreciate Mr H is unhappy Vanquis didn't agree to his proposed repayment plan. But I'm afraid they weren't under any requirement to accept this at the time it was made. As I understand Vanquis did eventually accept a full and final offer from Mr H regarding his debt

and this has now been settled in full. Vanquis has updated Mr H's credit file to show that the default has been fully satisfied. This is fair under the circumstances.

I do appreciate that Mr H will be disappointed with my decision. But I'm afraid I don't think Vanquis has acted unfairly in this case when it comes to the default or ROP.

**my final decision**

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 20 June 2020.

Robyn McNamee  
**ombudsman**