

## **complaint**

Mr W complains Vanquis Bank Limited allowed an unauthorised transaction to be taken from his account. He says it also shared his new account details with a third party.

## **background**

Mr W had a previous subscription with a breakdown company – R. He says the renewal price R quoted was too high so he intended to look elsewhere. However, in the meantime, he noticed a payment go out to R from his Vanquis account.

Mr W queried this. He said he didn't know how this could be possible as his card had been replaced since he last made a payment to R and he had not provided it with the new details. He concluded Vanquis must have done this and so complained.

Vanquis did not uphold his complaint. It said the payment was made under a continuous payment authority and that the only way this would be stopped would be if Mr W had contacted it or R directly. It also noted that R had since refunded the transaction.

But Mr W was not happy with its response and brought his complaint to this service where our investigator looked into matters for him.

Mr W produced evidence from R which suggested that it *had* in fact received his new details. Our investigator explained that this was direct from the card issuer – V – and not from Vanquis. She said as far as Vanquis was concerned, she wouldn't be asking it to do anymore. If Mr W wanted to complain about R or V, that would have to be done separate to this complaint.

The matter was then passed to me for a final decision.

## **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 have to make it clear to Mr W that my decision relates solely to whether I think Vanquis has done anything wrong in how it had dealt with his complaint. I don't think it has.

As the investigator has already explained, the agreement between Mr W and R involved a continuous payment authority. Once the initial payment has been made using the long card number, all future payments are made from the account held and not the card. This is what appears to have happened here.

I am satisfied that the information as to the new card details did not come from Vanquis - they came from V. And whether R used them or not to take this further payment, I know not.

What I can make a finding on, on the balance of probabilities, is that Vanquis has dealt with Mr W's complaint fairly and reasonably. In the circumstances, I will not be asking that it pays him any compensation for any anxiety caused whilst he pursued this complaint.

Mr W also asks that he be provided with a new card as he feels the previous one has been compromised. I don't know whether he has made this request of Vanquis – but it seems a perfectly reasonable one. I would expect Vanquis to accede to such a request.

**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 Mr W to accept or reject my decision before 4 March 2020.

Shazia Ahmed  
**ombudsman**