Financial Ombudsman Service

complaint

Mrs M complains that Royal Bank of Scotland plc (RBS) wrongly put defaults on her credit file. She'd like compensation. And an assurance that all defaults over a five year period have been removed.

our initial conclusions

Our adjudicator didn't uphold the complaint. He found that RBS had acknowledged its mistake and paid £100 in compensation. He didn't feel Mrs M's request for £5,000 to £10,000 compensation was reasonable. Mrs M doesn't agree. So she's asked for the case to be reviewed.

my final decision

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

There's no dispute that RBS put a default on Mrs M's credit file in 2010. And that this was a mistake. Mrs M's account had gone overdrawn. But as the debt was largely made up of charges RBS agreed to waive the £401 debt. RBS also said it would close the account. Unfortunately the default had already been applied to the account. Mrs M says she only became aware of this recently. And she says the defaults showed over a five year period.

RBS has apologised and paid £100 in compensation. I think this is fair as Mrs M has been inconvenienced. She's had to sort out a situation she thought she'd resolved some years ago. RBS says it has updated Mrs M's credit file. And it has removed all of the defaults.

Mrs M would like a considerably larger amount of compensation. But the £100 RBS has paid is in line with awards this service makes. And Mrs M hasn't shown any evidence of loss because of RBS's mistake. So I don't think I can fairly require RBS to pay more compensation.

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

Under the rules of the Financial Ombudsman Service, I am required to ask Mrs M either to accept or reject my decision before 19 February **2016.**

Bridget Makins

ombudsman at the Financial Ombudsman Service

The ombudsman may complete this section where appropriate – adding comments or further explanations of particular relevance to the case.

ombudsman notes

what is a final decision?

- A final decision by an ombudsman is our last word on a complaint. We send the final decision at the same time to both sides – the consumer and the financial business.
- Our complaints process involves various stages. It gives both parties to the complaint the opportunity to tell us their side of the story, provide further information, and disagree with our earlier findings – before the ombudsman reviews the case and makes a final decision.
- A final decision is the end of our complaints process. This means the ombudsman will not be able to deal with any further correspondence about the merits of the complaint.

what happens next?

- A final decision only becomes legally binding on the financial business if the consumer accepts it. To do this, the consumer should sign and date the acceptance card we send with the final decision – and return it to us before the date set out in the decision.
- If the consumer accepts a final decision before the date set out in the decision we will tell the financial business – it will then have to comply promptly with any instructions set out by the ombudsman in the decision.
- If the consumer does not accept a final decision before the date set out in the decision, neither side will be legally bound by it.