

## **complaint**

Mrs R complains about Vanquis Bank Limited's behaviour relating to chasing overdue amounts on her credit card account - in particular, calling her at work after she asked it not to do so.

## **background**

Mrs R was in arrears on her credit card account and Vanquis Bank contacted her repeatedly by telephone to discuss repayments. Our adjudicator was satisfied that Vanquis Bank had called Mrs R at work, even after she had asked it not to do so because she felt unable to discuss her private financial circumstances in an open plan office, particularly due to the nature of her work. The adjudicator initially recommended that the complaint be upheld in part and that Vanquis Bank pay £100 compensation to Mrs R for the distress and inconvenience this had caused.

The adjudicator did not recommend that the remainder of the complaint be upheld. She felt that Vanquis Bank was entitled to engage a debt collector to deal with Mrs R and that it was not obliged to accept the repayment proposals put forward by Mrs R or to suspend interest on the account whilst she was on a repayment plan.

Vanquis Bank did not agree that it should pay £100 compensation. It said it was entitled to contact Mrs R at work because she had not responded to its requests that she call the bank to discuss the situation.

Mrs R responded to say, in summary, that Vanquis Bank had broken OFT guidelines for debt collection as it had not met her reasonable requests not to telephone her at work and to deal with her by letter rather than phone call. She also said the bank should have suspended collection activity (and not engaged a debt collector) because she had valid grounds for querying the amount of the debt.

## **my findings**

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint. Where there is a dispute about what happened, and the evidence is incomplete or contradictory, I reach my decision on the balance of probabilities – in other words, on what I consider is most likely to have happened in light of the available evidence.

I am satisfied from the call recording that Vanquis Bank called Mrs R at work, even after she made a reasonable request that it should not do so. Although a bank is entitled to contact a consumer to request payments or chase debts, it is also required to do so in a fair manner, which includes taking into account reasonable requests for how and when to contact the consumer. In this case, I am satisfied that Mrs R's request was reasonable and that Vanquis Bank was wrong to have ignored it. Vanquis Bank also seems to have ignored the substance of Mrs R's request that it deal with her in writing, rather than by phone call, since the letters it sent all requested her to telephone it rather than setting out any proposals (or requesting further information) in the letter itself. I consider the bank should pay £100 compensation for the distress and inconvenience caused by its failure to respond to Mrs R's reasonable requests.

Regarding Mr R's dispute about the amount owed, this relates to the amount of the debt after allowing for refunded charges and interest. Mrs R did query the amount of the refund but I am satisfied that the bank explained how this had been calculated and that it was not required to suspend collection activity on the basis of a continuing dispute about how much was owed.

**my final decision**

For the reasons I have explained, my final decision is that I uphold this complaint in part. In full and final settlement I order Vanquis Bank Limited to pay to Mrs R £100 compensation.

Michelle Peters  
**ombudsman**