

complaint

Miss G complained to NewDay Ltd about entries it had made on her credit file. She referred her complaint to us when she didn't get any reply.

our initial conclusions

Our adjudicator found out that NewDay hadn't made any wrong entries on Miss G's credit file. But he felt Miss G had experienced delay as a result of NewDay's failure to respond sooner to her complaint. He suggested that it should reimburse Miss G an amount to cover extra payments she'd made before the matter was sorted out – and £100 fair compensation for the delays and inconvenience she'd been caused.

NewDay disagrees, so the complaint has been referred to me.

my final decision

To decide what is fair and reasonable in this complaint, I have considered everything that Miss G and NewDay have provided.

NewDay changed its addresses in 2014, but I consider it fair and reasonable to expect it would have made arrangements for correspondence to be forwarded to it. Miss G's complaint was first raised in June 2014, and it seems clear that NewDay was certainly aware of it by November 2014 after we got involved.

So I agree it isn't reasonable that its final response letter wasn't sent until after mid- January 2015.

In these circumstances, I consider it's fair that it should pay to Miss G redress as recommended by our adjudicator.

My decision is that I uphold this complaint in part and NewDay Ltd should pay Miss G £100 for the delays and inconvenience it caused and also reimburse her £79.98.

Under the rules of the Financial Ombudsman Service, I am required to ask Miss G either to accept or reject my decision before 7 May 2015.

Susan Webb

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.