

## **complaint**

Ms M has complained that Lloyds Bank PLC instructed debt collectors to recover a debt from her she didn't owe and recorded incorrect information about it on her credit file.

## **background**

In December 2018 Ms M started to receive telephone calls from a debt collection company. She was told the calls were about an account she held with Lloyds. Ms M didn't have an account with Lloyds so she contacted it for further information.

Lloyds told Ms M the account had been held in the joint names of her and her ex-husband. It admitted it had made an error several years ago. It had been asked to remove Ms M's name from the account but had removed her ex-husband's name instead so the account remained open in Ms M's sole name and became overdrawn.

Lloyds agreed to clear the debt. It also paid Ms M £500 compensation and said it would remove any adverse information from her credit file. It said the removal of this information could take up to 60 days.

Ms M wasn't happy with Lloyds' response to her complaint and referred it to this service.

## **our initial conclusions**

Our investigator didn't recommend the complaint should be upheld. They thought Lloyds' response to the complaint was fair and reasonable.

Ms M didn't accept our investigator's recommendation.

## **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 can understand why Ms M was very upset when she was contacted by debt collectors about a debt that had nothing to do with her. But I think Lloyds acted quickly when it became aware of the error it had made and that its actions were fair and reasonable.

I'm satisfied that the sum of £500 Lloyds has paid Ms M is reasonable compensation for the trouble and upset she's suffered. I'm not persuaded I could reasonably require it to pay her any more.

Ms M says Lloyds hasn't apologised to her. I don't think this is correct. Lloyds wrote to her in January 2019 saying *"I'm sorry for any upset or inconvenience you've experienced"*. I don't think it was necessary for Lloyds to say anything in addition to this by way of apology.

Ms M has questioned whether Lloyds has removed the information about the debt from her credit file. I've seen a print of a computer screen provided by Lloyds relating to information given to credit reference agencies about the account. This says *"record has been deleted"* which indicates Lloyds has removed the information from Ms M's credit file. I haven't seen any evidence that would enable me to reasonably conclude this hasn't been done.

Ms M has questioned why Lloyds was able to pass information about her to the debt collecting company. The account terms and conditions allow Lloyds to share personal information with *“Agents who help us to collect what is owed to us”*. The account statements I’ve seen don’t have Ms M’s current address so I don’t think Lloyds would have passed that to the debt collection company. I think it’s likely the debt collection company made its own enquiries to find Ms M’s current address.

Ms M has said she’s dissatisfied with the way Lloyds responded to a subject access request she made. I haven’t seen sufficient evidence to enable me to conclude that Lloyds’ response to this request was inadequate and, in any event, this type of complaint would be more appropriately handled by the Information Commissioner.

In all the circumstances, I’m satisfied Lloyds dealt with Ms M’s complaint fairly and reasonably and I’m not going to require it to do anything further.

### **my final decision**

For the reasons I’ve given my final decision is I don’t uphold this complaint. I make no award against Lloyds Bank PLC.

Under the rules of the Financial Ombudsman Service, I’m required to ask Ms M to accept or reject my decision before 18 December 2019.

Charles Bacon  
**ombudsman**