

complaint

Miss N complains that NewDay Ltd gave her incorrect information about three refunded transactions and has miscalculated the amount she owed.

background

Miss N says she received three refunds for purchases of £3.98, £20 and £78 in around October/November 2018. She says NewDay didn't credit her account with these refunds and was told by it that it would include them in her December 2018 credit card statement. Miss M says she spoke to NewDay again as initially it said it hadn't refunded the money but then said it had. She says the account balance as shown on her November 2018 statement is wrong and NewDay has held onto her money since then. Miss N would like £1,000 compensation for what's happened.

NewDay accepts it gave Miss N misleading information about the refunds and ought to have noticed they had been credited to her account. It's apologised for those mistakes and paid £45 compensation. It also says the three payments were credited to her account and appeared on the November 2018 statement.

Miss N brought her complaint to us and our adjudicator upheld it in part. The adjudicator didn't think the compensation award went far enough to take into account the misleading information and time Miss N spent trying to sort matters out. He recommended NewDay pay a further £100 compensation. But the adjudicator looked at Miss N's account statements and didn't think NewDay had made a mistake in calculating how much Miss N owed it and provided details of his calculations to Miss N.

NewDay hasn't replied to the adjudicator's view but Miss N doesn't accept it. In summary Miss N says the adjudicator's calculations are wrong and has provided a spreadsheet in which she says the amount owed is about a £100 too much. She maintains NewDay has not taken into account the refunded money.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. Having done so I've come to the same overall view as the adjudicator and for the same reasons. I realise Miss N will be disappointed by my decision.

There is no question here that NewDay gave Miss N incorrect information on two occasions. I think NewDay ought to have been able to have explained that the refunds had been applied to Miss N's account and when. But I also think that NewDay has fairly apologised for what took place. The key question about that part of the complaint is the level of compensation. I'm satisfied that Miss N was concerned about the refunds and would have spent some time in contacting NewDay about them. So I agree with the adjudicator that NewDay should pay further compensation of £100. I'm satisfied the total amount is fair and reasonable and takes into account that it took some time for Miss N to be given the correct information. I appreciate Miss N says that she would like £1,000 compensation but I don't think such an award is justified and I don't think Miss N suffered any financial loss for the reasons I will explain.

I should explain to Miss N that we are not an auditing service and so it's not our role to check if an account statement is correct. I have looked at the spreadsheet Miss N has given us and I have looked at Miss N's account statements for October and November. Having done so I have no reason to conclude that NewDay's calculations are wrong. And I'm satisfied that the balance it says Miss N owed was correct.

I can see that Miss N in her calculations deducted the refunds of £95.98 from her spending but has failed to take those refunds off the payments. I'm satisfied that she has double counted the refunds by making a deduction from the amount she owed and also included them as payments towards the balance.

Overall I'm satisfied NewDay hasn't made a mistake or acted unfairly in respect of the refund or kept Miss N's money.

my final decision

My final decision is that I uphold this complaint in part and order NewDay Ltd to pay Miss N £100 compensation in addition to the £45 already paid.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss N to accept or reject my decision before 10 April 2020.

David Singh
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