

complaint

Mr S complains about Experian Limited's *"disregard of the use of [his] password in connection with passing [his] information...to various financial companies."*

Mr S also complains that he's not received an appropriate level of customer service from Experian when it has been dealing with his complaint.

background

A number of years ago Mr S put a notice of correction on his credit file. In it he asked potential lenders to ask him for a password when they receive applications for credit which appear to come from him.

Only one company has ever asked for this password he suggested. It seems he thinks Experian is responsible for this.

Further he told us it took too long to deal with his complaint given it was so straightforward. Added to which, he's had to chase it to talk to him and he's yet to receive any substantive response from it.

Our adjudicator thought that Experian couldn't be held to account if lenders chose not to act on the instructions in Mr S's notice of correction.

He agreed that Experian hadn't been up to the mark in dealing with his complaint. It had offered him £25 initially for sending him one email by mistake. In this email it asked him for information it had already asked him for in an earlier email. It apologised for this. Our adjudicator asked Experian to pay £75 in total for this, and it agreed.

But our adjudicator thought there was no longer any need for Experian to send him a response and he'd effectively got his response via us. In so far as we'd told him Experian's stance.

Mr S didn't accept this offer. In summary, he thought Experian hadn't behaved as it should've done and that it was unclear what rules it was meant to follow. He thought Experian should send him a reply.

Mr S asked that an ombudsman review his complaint.

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've finished my review of Mr S's complaint. I can see that Mr S finds this whole state of affairs very unsatisfactory and it seems he's perplexed by the whole regulatory framework for credit reference agencies when it comes the point he is complaining about. I also get that he expected that if he put an instruction on his credit file for lenders then they would follow it. But I think I've no proper basis to uphold his complaint against Experian. Please let me explain why I've come to this conclusion.

No doubt it came as a surprise to find that although he'd asked businesses to ask him for the password they didn't. While I can understand that this is frustrating for Mr S I can't see how

this is the fault of Experian. There is no suggestion that the notice of correction wasn't recorded. This being so I don't think it is fair and reasonable to ask Experian to take any further action in relation to this part of Mr S's complaint.

Experian accept it should've done better when it responded to him. Further, I recognise Mr S felt it kept him waiting far too long for a response to a simple question. But he knows its position now, which was what he wanted. That said he talks of sending it over 40 emails but I've not seen those, the business says it didn't receive them, and I'm not aware of him running up expenses in chasing it for a response. I think in the circumstances the £75 that is on the table is appropriate.

my final decision

My final decision is that Experian Limited should pay Mr S £75 for inconvenience as it has already agreed to do.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 2 October 2017.

Joyce Gordon
ombudsman