

The complaint

Mrs P is unhappy that Metro Bank PLC incorrectly reported a default to a credit reference agency for several years.

Summary of what happened

In 2019, Metro agreed to stop reporting a default to Mrs P's credit file. In September 2023, Mrs P noticed that the default was still showing with one of the credit reference agencies and had been since 2019. Mrs P wasn't happy about this, so she raised a complaint with Metro.

Metro responded to Mrs P and explained that they had contacted all the credit reference agencies in 2019 and instructed them to stop reporting the default. Metro also explained that the credit reference agency that was still reporting the default (which I'll refer to as 'Agency X') had confirmed that they'd received the instruction from Metro in 2019 but had failed to act upon it. Because of this, Metro didn't uphold Mrs P's complaint. Mrs P wasn't satisfied with Metro's response, so she referred her complaint to this service.

One of our investigators looked at this complaint. They didn't feel that Metro should fairly be held accountable for the failure of Agency X to act upon the instruction from Metro that it had confirmed it had received. Mrs P remained dissatisfied, so the matter was escalated to an ombudsman for a final decision.

What I've decided – and why

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 note that Mrs P has provided several detailed submissions to this service regarding her complaint. I'd like to thank Mrs P for these submissions, and I hope she doesn't consider it a discourtesy that I won't be responding in similar detail here. Instead, I've focussed on what I consider to be the key aspects of this complaint, in line with this service's role as an informal dispute resolution service.

This means that if Mrs P notes that I haven't addressed a specific point she's raised, it shouldn't be taken from this that I haven't considered that point – I can confirm that I've read and considered all the submissions provided by both Mrs P and Metro. Rather, it should be taken that I have considered that point but that I don't feel it necessary to address it directly in this letter to arrive at what I consider to be a fair resolution to this complaint.

I also note that this service can only consider points of complaint that have previously been referred to the respondent business, in this case Metro, such that the business has had an opportunity to consider and formally respond to those points.

In this review, I've assessed the points of complaint that I consider to be within my remit, given the above. Any point of complaint that I haven't considered here isn't affected by the finality of this decision in respect of this service. Although it may be the case that if there are additional points of complaint that Mrs P feels I should have considered here, those points of

complaint may need to be referred to Metro in the first instance, so that they have the opportunity to consider and respond to them.

Mrs P feels that Metro should be considered responsible for the default being incorrectly reported by Agency X since 2019. However, Metro have been able to demonstrate that not only did they send an instruction to Agency X to stop reporting the default on Mrs P's credit file in 2019, that Agency X confirmed receipt of that instruction in 2019 but then failed to act upon it. And I don't feel that Metro should fairly be considered accountable for the failure of Agency X to act up the instruction that it received from Metro in 2019.

This isn't to say that Mrs P hasn't incurred a detriment because Agency X has been incorrectly reporting the default on her credit file. But it is to say that I don't feel that Metro should fairly be considered accountable for that detriment. This is because Metro did what would reasonably be expected of them – they issued an instruction to all the credit reference agencies, including Agency X, to stop reporting the default on Mrs P's credit file. And that instruction was received by all the credit reference agencies, including Agency X.

Ultimately, it isn't Metro's fault that Agency X failed to act on the instruction it received from Metro to stop reporting the default on Mrs P's credit file, and so I won't be upholding this complaint against Metro.

Mrs P is also unhappy with how Metro have handled her complaint about this matter. But this service can only consider points of complaint about specified financial matters, as set out in the Dispute Resolution ("DISP") rules in the Financial Conduct Authority ("FCA") Handbook.

Importantly, those rules don't allow this service to consider a complaint about how a business has handled a complaint. And this is the case even when the complaint is about a financial matter, as is the case here. In short, this service can't consider a complaint about how a business has handled a complaint.

Mrs P has also said that she was told by Metro that she had to travel several hundred miles from her home to a Metro branch in southwest England to raise her complaint. And she feels that Metro should compensate her for having to do this.

But Metro don't agree that Mrs P was told that she had to travel the considerable distance that she did to raise her complaint. And Metro note that Mrs P could have raised a complaint via several channels, including by telephone or email, as well as in any Metro branch.

When the testimonies of a complainant and a respondent business contradict one another, as is the case here, I must decide which of the two versions of events I feel is most likely to have happened, on balance and in consideration of the information available to me.

In this instance, I find Metro's position to be the more persuasive. This is because I feel that it's highly unlikely that Metro would have told Mrs P that she had to travel several hundred miles to raise a complaint. And because information on how Mrs P could raise a complaint was available to Mrs P on Metro's website. Additionally, Mrs P hasn't provided anything to corroborate her claim that she was told she had to raise her complaint in a branch several hundred miles from her home.

As such, if Mrs P was, for whatever reason, under the mistaken impression that she had travel to the branch that she did to raise her complaint, I feel that Mrs P could and reasonably should have challenged Metro on her understanding of that point, or confirmed it by reviewing the available Metro literature, which as explained detailed the variety of channels by which Mrs P could have raised her complaint.

I realise this won't be the outcome Mrs P was wanting. But it follows from all the above that I won't be upholding this complaint or instructing Metro to take any further or alternative action here. I hope that Mrs P will understand, given what I've explained, why I've made the final decision that I have.

My final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs P to accept or reject my decision before 2 August 2024.

Paul Cooper
Ombudsman