

The complaint

Miss W is complaining about Capital One (Europe) plc because she says it incorrectly reported a late payment to one of the credit reference agencies (CRAs) despite her having made a payment in that month.

What happened

Miss W has a credit card account with Capital One. A copy statement she's provided shows she made a payment in October 2023 before the payment became due. She later obtained a copy of her credit report from one of the CRAs that shows a late payment for that month.

Capital One didn't uphold Miss W's complaint. It says it reported late payments to the CRAs for the months of July, August and September 2023. But it says it didn't report a late payment for the month of October.

Our investigator didn't recommend the complaint be upheld. She also felt the evidence showed Capital One had reported the account status accurately. Miss W didn't accept the investigator's assessment and the complaint has now been referred to me for review.

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've reached the same overall conclusions as the investigator, and for broadly the same reasons. If I haven't commented on any specific point, it's because I don't believe it's affected what I think is the right outcome. In considering this complaint I've had regard to the relevant law and regulations; any regulator's rules, guidance and standards, codes of practice, and what I consider was good industry practice at the time.

Capital One says payments were missed in July, August and September 2023 and that it reported late payments to the CRAs for these months. Miss W doesn't dispute payments were missed in these months or that this shouldn't have been reported to the CRAs.

Turning to October 2023, Capital One says it didn't report a late payment for this month. To evidence this, it's provided a screenshot from its system that shows late payments were reported for July, August and September but crucially, not for October. Miss W has also told us that her credit file with two other CRAs don't record late payment for her account in October. Together, I think these points are compelling evidence that Capital One did report the situation correctly.

I've looked at the extract Miss W has provided from her credit report and I think it's interesting that, while it does record a late payment for October, it doesn't record a late payment for July. In total, it records three late payments in August, September and October. So the number of late payments is correct but the sequence starts and ends a month behind the actual dates.

On balance, and taking everything into account, I think the available evidence indicates any issue here is more likely to be with the way the information is presented by the CRA. This is because it doesn't correspond with Capital One's records of what it reported or how other CRAs have presented the same information. So I don't think the evidence shows Capital One is at fault.

If Miss W has concerns with how the CRA presented the information it received, she should contact the CRA directly to raise her concerns.

It's for these reasons that I'm not upholding this complaint. I realise this outcome will be disappointing for Miss W, but I'm satisfied it's fair and reasonable in the circumstances.

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 Miss W to accept or reject my decision before 2 October 2024.

James Biles
Ombudsman