

## **complaint**

Mr O complains that Provident Personal Credit Limited ("Provident") was slow to implement a previous final decision by one of our ombudsmen requiring it to remove incorrect and damaging information from his credit file.

## **background**

One of our ombudsmen issued a final decision on 7 July 2016 requiring Provident to remove the incorrect information and pay Mr O compensation. Under our procedures we would have expected this to be completed within four weeks. However, by 21 August, Mr O found this still hadn't been done. One credit reference agency told Mr O that it would remove the information from its records. But another said Provident would have to instruct it to do this.

Mr O wanted to borrow money from his bank to replace an existing loan. Mr O discussed this with his bank. He passed on an email one of our adjudicators sent him confirming that Provident was in breach of the final decision by failing to remove the information. However the bank wrote to Mr O to say that any application would be declined in view of the information that was on his file.

The incorrect information was finally removed on 14 September 2015, and on 22 September 2015 Provident confirmed to us it had done this, and had paid the compensation due. Mr O was then able to arrange a loan from his bank. But he complained about Provident's delay in implementing the previous final decision, and the time he had to take off work, and the stress and inconvenience he had suffered, to get Provident to implement the final decision.

Provident paid him £50 as compensation for its delays. Mr O said this wasn't enough, and complained to us. Our adjudicator said that there had been delays by Provident in implementing the previous final decision. It had been slow to start the process, and it hadn't kept Mr O updated directly about the delay. She recommended that Provident pay Mr O a further £100 compensation, in addition to the £50 it had already awarded.

Provident accepted the adjudicator's recommendation. Mr O responded to say, in summary, that the further compensation offered was insufficient because:

- the delay prevented him getting the loan from his bank until his credit file was corrected;
- it didn't reflect the time he had to take off work; and
- Provident ignored efforts from two credit reference agencies to contact it.

The adjudicator said she thought the further compensation proposed was fair. In particular, she said the letter Mr O's bank wrote saying it would decline any loan application he made didn't say what information it had reviewed on his credit file, or what, if any, other factors it had considered. And she couldn't see from Provident's file that there had been any contact from the credit reference agencies.

Mr O said the evidence showed that the delay by Provident was the sole reason for his bank loan being held up. He asked for his complaint to be reviewed.

### **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

This complaint isn't concerned with the circumstances which gave rise to the previous complaint, but only with the delay by Provident in implementing the previous final decision. I think it did delay in carrying out that decision without reasonable cause.

It isn't our role to fine or punish a business – that is for the Financial Conduct Authority. We simply provide compensation to consumers in individual cases if we decide a business has caused them financial loss, upset and inconvenience.

Mr O did manage to arrange a loan with his bank, although the actions of Provident did delay this and caused him inconvenience and stress. Like the adjudicator, I think the appropriate compensation for this is that Provident pay Mr O a further £100 compensation in addition to the £50 it has already awarded him.

### **my final decision**

My decision is that I uphold this complaint, and order Provident Personal Credit Limited to pay Mr O a further £100 compensation in addition to the £50 it has already awarded him.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr O to accept or reject my decision before 26 August 2016.

Lennox Towers  
**ombudsman**