

## **The complaint**

Mr M complains that Barclays Bank UK PLC trading as Barclaycard have not taken his circumstances into account, and they've registered adverse information with the Credit Reference Agencies (CRA's).

## **What happened**

Mr M says he was admitted to a hospital, and due to this he was unable to pay his Barclaycard. Mr M says that he was given no telephone call as the number Barclaycard held was incorrect. Mr M says he's since sorted his payments out with Barclaycard, but they are not accepting or acknowledging why he couldn't pay, despite him having medical evidence of his current health situation. He says they still sent him a default letter. Mr M says he's been barred from using his credit card, and the situation has affected his credit file. Mr M made a complaint to Barclaycard.

Barclaycard did not uphold Mr M's complaint, but they made an offer to amend the September and October 2023 late payment markers where Mr M was making qualifying payments before his payment arrangement went into force, to change those payments to an arrangement on his credit file. Mr M brought his complaint to our service.

Our investigator said she thought Barclaycard's offer was fair. She said Barclaycard wrote to Mr M in May, June and July 2023 advising of the missed payments. But as they didn't have any contact from Mr M Barclaycard sent a default notice on 10 August 2023. Our investigator said Mr M contacted them and Barclaycard agreed a reduced payment plan for Mr M for him to pay £300 a month. He needed to make two qualifying payments of £300 in September and October 2023 for the plan to be put in place, and the interest was reduced to 0%. After these payments the plan would run for a further 12 months and no interest would be added to the account in this arrangement. Mr M asked for an ombudsman to review his complaint.

## **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.

First of all, I'd like to thank Mr M for being open and transparent about his health issues. I know this must have been difficult for him to tell us his personal circumstances, and I wish him all the best for his treatment moving forward.

Barclaycard have a duty to report accurate information to the CRA's. This includes reporting to them when a payment is late or missed. Mr M's medical issues and hospitalisation resulted in him missing a number of monthly payments. And in turn, Barclaycard reported this factual information to the CRA's. Barclaycard issued letters to Mr M about the arrears and the potential consequences of missed payments.

It may be that Mr M did not receive these letters at the time if he was hospitalised. But Barclaycard were not aware of Mr M's situation. They sent the letters to Mr M's registered address, but they didn't have any contact regarding them, so they sent Mr M a default notice

in August 2023. Mr M did make an arrangement with Barclaycard before a default was registered on his credit file. In order for the arrangement to fully be implemented, Mr M needed to make payments of £300 a month for September and October 2023. As Mr M made these payments, the arrangement went into force.

So despite Mr M's circumstances leading to missed payments, I'm unable to conclude that Barclaycard made an error in reporting missed payments to the CRA's – as this is factually correct. To remove these late payments would mean they would be reporting factually incorrect information, so I'm unable to ask them to do this here.

I know this will disappoint Mr M as he feels this was out of his control, so Mr M may wish to consider registering a *"notice of correction"* with the CRA's to explain what happened here. This is a short explanatory note that he can add to an entry on his credit file, to explain the background to that entry. So anyone who searches his credit report, would see the notice of correction and take the notice into account if they viewed his credit file. Prospective lenders will each consider a notice like this differently and it isn't a guarantee that they will put the underlying payment information to one side. But given how strongly Mr M feels here - it is an option that is open to him. He would need to contact the CRA's to do this.

I'm satisfied that when Mr M contacted Barclaycard that they did take into account his financial difficulty at the time – even if their proposal may not have been the best outcome that Mr M was hoping for. I say this as they arranged reduced monthly repayments – and waived interest for a two month qualifying period, before implementing the arrangement plan until October 2024 without charging Mr M any interest. So I'm satisfied that they did show him forbearance here.

Barclaycard also offered to amend Mr M's credit file to show the September and October 2023 payments as an arrangement on his credit file. I'm persuaded this is a fair thing to do as although Mr M hadn't entered the arrangement at that point, he was working towards the arrangement by making payments during the qualifying period. So it follows I'll be asking Barclaycard to amend Mr M's credit file for these two payments only, to be in line with their offer.

### **My final decision**

Barclays Bank UK PLC trading as Barclaycard has already made an offer to amend the September and October 2023 credit file entries to reflect that Mr M was in an arrangement for these months (as opposed to a late/missed payment). I think this offer is fair in all the circumstances.

So my decision is that Barclays Bank UK PLC trading as Barclaycard should amend the September and October 2023 credit file entries to reflect that Mr M was in an arrangement for these months (as opposed to a late/missed payment). But I won't be requiring them to do anything further.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 11 June 2024.

Gregory Sloanes  
**Ombudsman**