

complaint

Mr E complains he didn't know Vanquis Bank Limited added a Repayment Option Plan (ROP) to his credit card account when he opened it five years ago.

our initial conclusions

Mr E said he only realised he was paying Vanquis for the ROP when he contacted it to ask about the possibility of a payment break.

The adjudicator didn't recommend Mr E's complaint should be upheld. He listened to a call recording and was satisfied Mr E had agreed to the plan. Mr E was unhappy about this and said he thought he'd *"said no to the "charges" part of it"* and that the rest of the phone call was to activate the card.

my final decision

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. Having listened to the phone recording I've come to the same conclusion as the adjudicator for much the same reasons. At the beginning of the phone call the operator asks some security questions and then says the account has been set up. She goes on to explain the benefits of the ROP including the cost. At first it is unclear whether Mr E says he doesn't want the plan or that he doesn't want the operator to go through the full terms and conditions. But then she asks him if he would like the plan added to his account and he says "yes please". So I think Mr E knew about the cost and benefits of the ROP and agreed to it being added to his account.

I know Mr E will be disappointed with my decision but for the reasons I've given I don't find Vanquis has done anything wrong.

Under the rules of the Financial Ombudsman Service, I am required to **ask Mr E either to accept or reject my decision before 22 February 2016.**

Linda Freestone

ombudsman at the Financial Ombudsman Service

The ombudsman may complete this section where appropriate – adding comments or further explanations of particular relevance to the case.

ombudsman notes

what is a final decision?

- A final decision by an ombudsman is our last word on a complaint. We send the final decision at the same time to both sides – the consumer and the financial business.
- Our complaints process involves various stages. It gives both parties to the complaint the opportunity to tell us their side of the story, provide further information, and disagree with our earlier findings – before the ombudsman reviews the case and makes a final decision.
- A final decision is the end of our complaints process. This means the ombudsman will not be able to deal with any further correspondence about the merits of the complaint.

what happens next?

- A final decision only becomes legally binding on the financial business if the consumer accepts it. To do this, the consumer should sign and date the acceptance card we send with the final decision – and return it to us before the date set out in the decision.
- If the consumer accepts a final decision before the date set out in the decision we will tell the financial business – it will then have to comply promptly with any instructions set out by the ombudsman in the decision.
- If the consumer does not accept a final decision before the date set out in the decision, neither side will be legally bound by it.