

### **complaint**

Mr M complains that Vanquis Bank Limited mis-sold a Repayment Option Plan ('ROP') to him.

### **our initial conclusions**

The adjudicator did not recommend that the complaint should be upheld. She said that Vanquis has provided a copy of a telephone conversation with Mr M. The ROP was discussed and it was explained that this was an optional product and could be cancelled at any time. Mr M was referred to the terms and conditions and a welcome pack for further information. She said that Mr M needed to decide if this product was suitable for him.

Mr M, who is represented by a claims management company, did not agree. In summary Mr M said that his circumstances at the time meant that he did not need this product.

### **my final decision**

To decide what is fair and reasonable in this complaint, I have considered everything that Mr M and the business have provided.

Having done so I find I come to the same conclusion as the adjudicator and for mainly the same reasons.

The ROP provides a 'debt freeze' in certain circumstances. It is common ground that Mr M was not advised to take this product. I am satisfied he was given sufficient information to make up his own mind. I note that the customer case notes from Vanquis indicate that Mr M activated this product between 2008 and 2009 when he had lost his job.

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

**Under the rules of the Financial Ombudsman Service, I am required to ask Mr M either to accept or reject my decision before 30 October 2014.**

*Michael Crewe*  
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.