

complaint

Mrs D complains that Next Retail Limited, trading as Next, unfairly applied a refund to her Next account, rather than the account from which she paid for the refunded goods.

background

Mrs D had a catalogue account with Next. She thought that she had closed the account. She then bought goods from Next with her debit card, and then returned them. She was unhappy that Next had applied a refund to her catalogue account, which she thought she had told it to close, rather than her debit card account, especially as she also had a debt management plan. Mrs D is seeking compensation for poor administration.

Next said that it had neither been told to close the catalogue account, nor had it been told that Mrs D had a debt management plan. In any event, it had acted in line with its account terms. These said that if a customer with a Next Account pays for an order by debit or credit card, any refund due for that order will be applied to their Next Account, and not the card used for payment.

The adjudicator did not recommend that the complaint should be upheld. He concluded that as Next had acted in line with its account terms, and as it was unaware that the account had been closed, it had not made an error in applying the refund to Mrs D's Next Account. He had also not seen sufficient evidence to persuade him that Mrs D had previously closed the account, or that she had told Next that she had a debt management plan.

Mrs D disagreed and asked for an ombudsman to review her complaint.

my findings

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint.

Where the evidence is incomplete, inconclusive, or contradictory (as some of it is here), I reach my decision on the balance of probabilities – in other words, what I consider is most likely to have happened in light of the available evidence and the wider circumstances. I note that Mrs D said that she had told Next to close her account and that she had a debt management plan.

But, I have been through Next's customer contact notes and cannot see any record prior to Mrs D's complaint to it that she had asked Next to close her account. There was also no record that she had told it that she had a debt management plan. As I have not seen any evidence of Mrs D's request to close the account, on balance, I cannot safely conclude that Next had been told about the closure.

But I could see in the contact notes that Mrs D had ordered items from Next in September 2013, returned some of them, and had spoken to Next to specifically ask it to apply the refund to her card account. There was no such record of a similar request made when she asked for a refund in February 2014. So, Next acted in line with its account terms and applied the refund to Mrs D's Next Account. Like the adjudicator, I am not persuaded that it acted incorrectly.

I note that Next has now closed Mrs D's account and offered her a £20 gift card. In the circumstances of this complaint, and on balance, I am satisfied that it has acted fairly. It follows that I do not consider that Next has done anything wrong in rejecting Mrs D's complaint.

my final decision

My decision is that I do not uphold this complaint.

Roslyn Rawson
ombudsman