

complaint

This complaint is about a store card payment protection insurance (PPI) policy taken out in 2004. Mrs L says AXA France mis-sold her the PPI.

background

In my provisional decision sent in November 2019 I explained why I didn't think this complaint should be upheld. I said:

'I'm currently intending on not upholding this complaint. I'll explain why.'

AXA France had to make Mrs L aware that the PPI was optional and gain her consent before adding it to her card. I can't be certain what was said at the time Mrs L applied for the PPI but AXA France has sent us a copy of the available paperwork. The application form Mrs L completed when she applied for her card had a separate section for PPI which Mrs L signed to accept the policy in addition to signing for the card itself. So, I think Mrs L would have been aware the policy was optional, and she chose to have it.

AXA France didn't recommend the PPI to Mrs L so it didn't have to check if it was right for her. But it did have to make sure Mrs L got the information she needed to decide if it was right for her.

It's possible the information AXA France gave Mrs L about the PPI wasn't as clear as it should've been. But I think she chose to take out the PPI knowing the other means she had to make her repayments. Which she said included generous sick pay. But considering what we know about Mrs L's job at the time and how long she had worked in the role I think it's unlikely her sick pay entitlement would have been so generous. We have asked for further details of Mrs L's sick pay but nothing further has been provided. For this reason I am unable to say Mrs L would have been entitled to the level of sick pay she has told us she was.

Based on what I've seen of Mrs L's circumstances at the time it doesn't look like she was affected by any of the exclusions to or limits on the PPI cover - so it would have been useful for her if something went wrong. It also looks like the PPI was affordable. So I don't think better information about the PPI would have put her off taking out the cover.'

I gave Mrs L and AXA France time to respond to my provisional decision, but no further information was provided.

my findings

I've considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint. But as neither side responded with anything further for me to consider I see no reason to come to a different decision to that explained above.

my final decision

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs L to accept or reject my decision before 31 January 2020.

Terry Woodham
ombudsman