

## **complaint**

Mr C has complained that Barclays Bank Plc mis-sold an Additions packaged bank account to him in 1996. He paid a monthly fee for the account, which offered a number of benefits in return.

## **background**

One of our adjudicators has looked into Mr C's complaint already. The adjudicator didn't think that Barclays mis-sold the packaged account. Mr C didn't accept this assessment and asked for an ombudsman to look at the complaint and make a final decision.

## **my findings**

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

We've explained how we handle complaints about packaged bank accounts on our website. I've used this approach to help me decide what to do about Mr C's complaint. I agree with our adjudicator that Barclays did not mis-sell the packaged account to Mr C.

When Mr C disagreed with our adjudicator and asked for an ombudsman to look into the complaint, he said that he was pressured to take the account as Barclays rang him weekly and sent a salesman to his house in the evening. Mr C also said that the benefits were never explained to him – if they had been, he might have used them.

I've thought about these points carefully but I still don't think that Mr C's complaint should be upheld.

- Mr C took the packaged bank account by switching from a free account. So I think he knew he didn't have to pay for a bank account. Mr C has told us he can't remember how the Additions account was sold to him, while Barclays has said it was sold during a meeting in branch. I haven't seen anything to suggest that Barclays' records are incorrect, so I think the account probably was sold in branch. I don't know what Barclays was trying to sell to Mr C when it called him and visited him at home. But for it to have pressured Mr C into taking the Additions account would have been a very serious failing. In order to uphold Mr C's complaint on this point, I'd have to think it was more likely than not that Barclays acted in this way. And as I have limited information about the sale, I don't think I can safely say that Barclays pressured Mr C. I think it's most likely that Barclays gave Mr C a fair choice to take the packaged account or keep his free one – and he chose to upgrade because there was something about the account he was interested in.
- I think Barclays probably did discuss the benefits of the account and how they might be useful. But I haven't seen anything to suggest there was a detailed conversation about Mr C's circumstances, or that Barclays made a tailored recommendation. So I don't think that Barclays did recommend the packaged account to Mr C, which means it didn't have to check if the account was suitable for him.

- Barclays had to give Mr C enough clear information about the packaged account for him to decide if he wanted it. I think that Mr C was interested in some of the benefits of the packaged account and chose it because of these benefits. In particular, the earliest statements Barclays has been able to provide suggest that Mr C used his overdraft regularly. And it seems the Additions account did offer preferential overdraft terms at the time of sale – so there was a potential benefit to Mr C.

Mr C has said that the benefits of the account weren't explained to him. As I've said, I have very limited information about the sale, so can't be sure what was discussed. But as Barclays was trying to sell the account to Mr C, I think it's likely it would have told him about at least some of the benefits – though I appreciate he may not remember this, given how much time has passed. Mr C may not have gone on to use all the benefits, but this doesn't mean Barclays mis-sold the account.

- It's possible that Barclays didn't tell Mr C everything it should have about the packaged account. But I haven't seen anything to make me think that Mr C wouldn't still have taken the account even if Barclays had told him everything.

I want to reassure Mr C that I have looked at all the information I have about his complaint. Having done so I don't think Barclays mis-sold the packaged account to him.

### **my final decision**

For the reasons I've explained, I don't uphold Mr C's complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr C to accept or reject my decision before 11 April 2016.

Cara Goodbody  
**ombudsman**