

complaint

Mr C has complained that Lloyds Bank PLC mis-sold a Platinum packaged bank account to him in 2010. He paid a monthly fee for the account, which offered a number of benefits in return.

Mr C has used a claims management company (CMC) to bring his complaint to us.

background

One of our adjudicators has looked into Mr C's complaint already. The adjudicator didn't think that Lloyds mis-sold the packaged account to Mr C. The CMC didn't accept this recommendation 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 have explained how we handle complaints about packaged bank accounts on our website. I have used this approach to decide what to do about Mr C's complaint. I agree with our adjudicator that Lloyds did not mis-sell the packaged account to Mr C.

When the CMC disagreed with our adjudicator and asked for an ombudsman to look into the complaint, it said that Mr C did not want breakdown cover, as he already had this, but was interested in worldwide travel insurance. The CMC said Mr C was interested in travel insurance to cover worldwide trips, and didn't find out he was only covered in Europe until November 2014, rather than in 2012.

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

- Mr C took the packaged bank account by switching from a free account. He signed a copy of the packaged account's terms and conditions, which included answering questions about his circumstances. Overall, I think that Lloyds gave him a fair choice to take the packaged account or keep the free one – and that Mr C chose the packaged account because he was attracted to some of the benefits it offered.
- I don't think that Lloyds recommended the packaged account to Mr C so it didn't have to check if the account was suitable for him.
- Lloyds had to give Mr C enough clear information about the packaged account for him to decide if he wanted it. Like our adjudicator, I think that Mr C was attracted to some of the benefits of the packaged account and chose it because of these benefits. The CMC has said that Mr C was attracted to the travel insurance, which is supported by Lloyds' confirmation that Mr C registered his pre-existing medical condition with the travel insurer shortly after taking the account. He repeated this registration in 2011 and 2012, suggesting that he continued to value the benefit.

- The CMC has said Mr C only found out that the travel insurance was limited to Europe in 2014. However, Lloyds has said that in 2012, having registered his medical condition and undergone medical screening, Mr C was refused worldwide cover for that condition. He was offered cover in Europe only, which he declined. I haven't seen anything to suggest that Lloyds' records are inaccurate. Although not covered for his existing condition, Mr C was still covered worldwide for other medical conditions or other losses that might have occurred.
- Mr C may not have used all the other benefits of the packaged account, but this doesn't mean Lloyds mis-sold it.
- It's possible that Lloyds didn't tell Mr C everything it should have about the packaged account. But I haven't seen anything that makes me think Mr C would not still have taken the account even if Lloyds 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 Lloyds 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 1 July 2015.

Cara Goodbody
ombudsman