

complaint

Mr and Mrs S have complained that National Westminster Bank Plc (NatWest) told them that they should keep their Advantage Gold account each time they had an account review. They don't think this was in their best interests.

Mr and Mrs S paid a monthly fee for the account which offered several benefits in return.

background

One of our adjudicators looked into Mr and Mrs S's complaint. She didn't think NatWest had done anything wrong when it sold the account or when it undertook account reviews. She didn't recommend NatWest pay Mr and Mrs S any compensation. Mr and Mrs S responded with a number of points and stressed the initial sale wasn't the issue - it was the account reviews that took place afterwards. Mr and Mrs S didn't accept the adjudicator's conclusion and asked for an ombudsman to look at the complaint afresh and make a final decision.

my findings

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

I do not doubt Mr and Mrs S have provided their honest recollections of what they say happened at their reviews but in cases like this – where the evidence is incomplete or contradictory, I make my decision based on what I think is *most likely* to have happened given the evidence that is available and the wider circumstances at the time.

I know this will come as disappointment to Mr and Mrs S, but I'm afraid I'm not upholding their complaint. I'll explain why.

During the course of the complaint Mr and Mrs S have accepted that they were attracted to the preferential rate that came with the overdraft on the Advantage Gold account. But they've also said that they travelled overseas and therefore the travel insurance was attractive as well. So overall, I think Mr and Mrs S wanted the Advantage Gold account for more than just the potential overdraft savings. This is an important point because Mr and Mrs S have said they didn't save a lot on their overdraft but they've also stated there were other key benefits on the account which were of use to them.

Mr and Mrs S dispute downgrading their account in 2005. I do think it would've been unusual for the bank to have downgraded the account without getting an instruction from them. I'm also mindful this all happened a number of years ago and over time even the best memories can fade. But the bank's records (albeit limited) do suggest the Advantage Gold account was upgraded twice from a fee free account. Of course it is possible the bank's records to do with the downgrade could be a mistake, but that isn't the real issue here – it's the account reviews.

Mr and Mrs S's evidence is that NatWest strongly recommended they keep the Advantage Gold account during these reviews. NatWest says it doesn't have any records of those discussions, so I can't be sure exactly what was said. But even if I were to accept Mr and Mrs S were told the Advantage Gold account was right for them, it seems to me that it was because it had aspects which they have said were important to them, such as the travel insurance and preferential rate on the overdraft. Mr and Mrs S also went on to register

their mobile phones. Whilst they have said that they only did so because they were told to, I think the registration demonstrates they may have found this cover useful as well. I appreciate Mr and Mrs S now feel the savings on the overdraft weren't significant or as much as they'd hoped and they could have got travel insurance cheaper elsewhere. But I've not seen anything to suggest these benefits were no longer important to them, so I can't see the bank did anything wrong in not suggesting they should downgrade the account.

I want to reassure Mr and Mrs S that I've looked at all the information I have about their complaint, including everything they've said. But having done so I don't think NatWest did anything wrong. So it doesn't need to pay them any money.

my final decision

For the reasons set out above, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr and Mrs S to accept or reject my decision before 21 December 2015.

Sarita Taylor
ombudsman