

complaint

Mr S says that Lloyds Bank PLC (trading at the time as TSB) mis-sold him a payment protection insurance ('PPI') policy.

background

I issued my provisional decision in August 2018, a copy of which is attached and forms part of this final decision. In my provisional decision I explained why I wasn't intending to uphold Mr S's complaint.

I asked everyone to send me any further comments and information before I reached a final decision. Neither Mr S or Lloyds Bank PLC sent me anything further to consider.

my findings

I've re-considered all the evidence and arguments already sent to us to decide what's fair and reasonable. As I've not received any new evidence, I've reached the same conclusions I reached in my provisional decision, for the same reasons.

my final decision

For the reasons I've explained in my provisional decision, I don't uphold Mr S's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S's to accept or reject my decision before 28 October 2018.

Daniel O'Shea
ombudsman

copy of provisional decision

complaint

Mr S says Lloyds Bank PLC (trading at the time as TSB) mis-sold him a payment protection insurance ('PPI') policy.

background

Mr S bought the policy in 1995 at the same time as taking out a credit card.

Our adjudicator upheld the complaint. Lloyds didn't accept the adjudicator's opinion, so the complaint has been passed to me.

my provisional findings

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

Due to the time that's passed since this sale took place; Lloyds and Mr S aren't sure how the policy was sold. I've considered that this policy was sold during a meeting where Lloyds recommended that Mr S take PPI – as this places more responsibility on Lloyds.

We've set out our general approach to complaints about the sale of PPI on our website and I've taken this into account in deciding Mr S's case.

I've decided not to uphold Mr S's complaint because:

- I think Lloyds made Mr S aware that he had a choice about buying the PPI, and that he chose to take it.

I say this because, although I haven't seen a copy of Mr S's credit card application form, I've seen an example application form that Lloyds say would have been used around the time this policy was taken out. I've considered this alongside what we know more generally about how Lloyds sold PPI around this time.

On balance, I think it's more likely than not that Mr S would have been presented with a choice for PPI and that he chose to take it out.

- Lloyds recommended the PPI to Mr S. Mr S has said he had a medical condition.

But based on what Mr S has told us about his medical condition, it seems it was diagnosed in 2001, a few years after he took this policy out in 1995. So I don't think it would have affected his ability to claim on the policy. I still think that the recommendation was suitable and the policy was right for Mr S.

- It's possible the information Lloyds gave Mr S about the PPI wasn't as clear as it should've been. But Mr S doesn't appear to have been affected by any of the main things the policy didn't cover – and based on what I've seen of his circumstances, it looks like the policy could've been useful to him. So I don't think better information would've stopped him buying it.

I've taken into account Mr S's comments, including what he's said about not needing PPI as he could have relied on his family and friends to help him make his credit card repayments. But circumstances can change, and they may not have been in a position to help when needed. So these points don't change my decision.

my provisional decision

For the reasons I've explained, I currently don't intend to uphold Mr S's complaint.

If either Mr S or Lloyds Bank Plc have anything further to add, they should do so by 9 September 2018. I'll then reconsider the complaint.

Daniel O'Shea
ombudsman