complaint

Mr J says The Royal Bank of Scotland Plc ("RBS") mis-sold him a payment protection insurance ("PPI") policy.

background

I attach my provisional decision of 2 December 2015, which forms part of this final decision.

In my provisional decision I set out why I didn't intend to uphold Mr J's complaint. I invited both parties to make any further comments before I reached a final decision.

Following this, RBS confirmed that it agreed with my provisional decision. Mr J's representative asked for a further copy of my provisional decision, which it was subsequently provided with. But it didn't provide anything further or ask for any additional time to respond.

my findings

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

As neither party has disputed my findings, I see no reason to alter the conclusions reached in my provisional decision of 2 December 2015.

my final decision

For the reasons set out above and in my provisional decision of 2 December 2015, I don't uphold Mr J's complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr J to accept or reject my decision before 8 February 2016.

Jeshen Narayanan
ombudsman

COPY OF PROVISIONAL DECISION

complaint

Mr J says The Royal Bank of Scotland Plc ("RBS") mis-sold him a payment protection insurance ("PPI") policy.

background

It looks like the policy was added to Mr J's account in 2003 when he applied for a RBS credit card.

Our adjudicator upheld the complaint. RBS disagreed with 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. 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 J's case.

I don't intend to uphold Mr J's complaint because:

- Our adjudicator initially upheld this complaint because they thought there wasn't enough evidence to suggest that Mr J was made aware that PPI was optional. Neither party can say for sure how Mr J applied for his credit card, or how the policy was sold. But it looks like Mr J's best recollections are that he applied for the card and the policy by completing an application form and returning it in the post. RBS has provided me with copies of the paper based credit card application forms that it used around the time Mr J applied for his card. And all of these forms give the consumer a choice on whether to take PPI, by requiring them to opt in (by ticking a box) if they want it. So while I haven't been provided with a copy of Mr J's application form, the best available evidence I have from the time suggests that PPI would only have been added to his account if he chose to take it. Having thought about everything I think it's most likely that RBS made Mr J aware that the PPI was optional and that he chose to take it.

- RBS didn't recommend the PPI to Mr J so it didn't have to check if it was suitable for him. It was up to Mr J to decide whether the policy was right for him taking into account any existing means he may have had for making his credit card payments should he be off sick from work, or lose his job.

- It's possible the information RBS gave Mr J about the PPI wasn't as clear as it should've been. But it's unlikely Mr J would've been affected by any of the main things the policy didn't cover. And the policy was competitively priced and had a reasonable benefit. So I don't think better information would've stopped him buying it.

my provisional decision

For the reasons set out above, I don't intend to uphold Mr J's complaint.

If The Royal Bank of Scotland Plc or Mr J have anything further to add before I issue my final decision, they should ensure anything they send reaches me by 4 January 2016.

Jeshen Narayanan
ombudsman