

complaint

Mr H complains, with the help of his friend, that Vanquis Bank Limited harassed him into taking out a credit card even though it was aware of his disability. He wants all correspondence sent to his friend's address but Vanquis has refused to do so.

background

Mr H's friend phoned Vanquis's chief executive's office in 2014 to explain about his personal situation. The harassment stopped for a while but began again. During the winter of 2015/2016 he wasn't able to resist the bank's offer of credit and he applied online for a credit card. He immediately followed the application with a phone call to Vanquis. In April 2016 he wrote to the bank explaining he was in financial difficulties and he offered to pay the debt back by £1 a month. Vanquis agreed and stopped applying interest.

The adjudicator didn't recommend the complaint should be upheld. She didn't think Vanquis had acted irresponsibly and now that it's aware of Mr H's situation she felt it'd acted fairly when it accepted his repayment offer and stopped applying any interest.

Mr H was very disappointed and upset by this. He thought Vanquis deliberately targeted vulnerable people.

my findings

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

Mr H says Vanquis was irresponsible to give him a credit card. I have a great deal of sympathy for him and I can understand how his personal situation affects his daily life. But I can't see there was anything in the online application and the subsequent phone call he made to Vanquis that would've alerted it to any potential difficulties. Mr H's friend said he'd already told Vanquis about Mr H's personal situation but lenders shouldn't discriminate against people when deciding who they will or won't lend to. What they have to decide is whether the loan (or credit card limit) was affordable. Having listened to the phone call Mr H made to Vanquis I think it did that. Mr H says that other "more responsible banks" rejected his applications. But different lenders have different lending criteria.

Mr H is upset about the number of marketing phone calls and emails from Vanquis in 2014. Due to the passage of time I can understand why the bank can't trace them. But I can't see that Vanquis was deliberately targeting him because of his vulnerability. His friend phoned Vanquis to ask it to stop sending credit card offers and this helped to solve the problem for a while. Vanquis has now told us it will take Mr H off its mailing lists and will send him an authorised user form so that his friend can deal with the bank on his behalf. If Mr H wishes to do this the adjudicator will pass his request onto the bank.

I know Mr H will be unhappy about my decision but for all those reasons I can't fairly conclude Vanquis was wrong to give Mr H a credit card.

my final decision

My decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 27 October 2016.

Linda Freestone
ombudsman