

complaint

Mr W says Bank of Scotland plc (trading as Halifax) mis-sold him a payment protection insurance ("PPI") policy.

background

This complaint is about a credit card PPI policy taken out in 1999. The policy was added to Mr W's credit card account when he applied for the card during a meeting at the bank.

Our adjudicator did not uphold the complaint. Mr W disagreed with the adjudicator's opinion so the complaint has been passed to me.

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'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 W's case

I've decided not to uphold Mr W's complaint and I will explain why.

- Bank of Scotland has not been able to provide most of the sales documentation and this is perhaps not surprising considering the sale date is over 17 years ago. So it has been difficult to understand what happened.
- Mr W complains that he never asked or wanted PPI and it was added without his permission. I do not know what was discussed in the meeting when they met in 1999 but I do have some knowledge of sales carried out by Bank of Scotland at that time. And with this in mind, I cannot fairly say that the sale happened the way Mr W says. I just haven't seen enough information to make this conclusion.
- Bank of Scotland recommended the PPI to Mr W, but it doesn't look as if it was unsuitable for him based on what I've seen of his circumstances at the time. He doesn't appear to have had enough means he could have relied on to make his credit card repayments if he couldn't work over an extended period of time. I can see that he had some sickness benefit with his employer but I think he could have seen at least some value in having the benefit the policy provided.
- Mr W has recently said through his representatives that he had 2 jobs at the time of sale, so the likelihood of him ever claiming unemployment benefit was small. I do agree that *if* I was persuaded that Mr W was employed in 2 part time roles in the way his representatives have suggested, that it would have been difficult for him to make a claim and so I would have questioned the suitability of the MPPI policy. But I haven't seen enough information to say that this was the case for Mr W at the time of sale. I say this because there is little in the way of sales documentation and Mr W's representatives have said they will not be able to provide any more information on Mr W's employment. I can see in the complaint form and questionnaire along with early submissions, that Mr W's other job wasn't mentioned at all. Although I can't be sure what Mr W's circumstances were at the time of sale, I would have needed to see more information on his other employment in order to be persuaded that Mr W did have 2 jobs at the time of sale. So I don't uphold his complaint on this point for the reasons given.

- It's possible the information Bank of Scotland gave Mr W about the PPI wasn't as clear as it should have been. But he was not affected by any of the exclusions or limitations and the policy was competitively priced and apparently affordable. So I think it unlikely Mr W would have made a different decision if better information had been provided.

It has been difficult to make a decision due to the lack of information provided by both parties, but in conclusion I do not uphold Mr W's complaint.

my decision

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

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

Mark Richardson
ombudsman