

complaint

Mrs E says Bank of Scotland plc ("BoS") mis-sold her a payment protection insurance ("PPI") policy.

Mrs E has used a claims management company ("CMC") to bring her complaint to us.

background

Mrs E bought the policy in 1998 at the same time as taking out a credit card. She applied for the card and the PPI through a postal application.

Our adjudicator didn't uphold the complaint. The CMC 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'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 Mrs E's case.

I've decided not to uphold Mrs E's complaint.

Mrs E told us that she never asked for the PPI, didn't know it was optional and that the costs and benefits weren't properly explained to her at the time of the sale. When our adjudicator didn't uphold her complaint the CMC told us that Mrs E had other means she could've relied on if she had stopped working due to accident, sickness or unemployment.

BoS has provided us with a copy of Mrs E's application form. It says the form shows that the policy was presented as an optional add-on and that Mrs E actively selected it. As the card and policy were applied for through the post, BoS has said the sale was non-advised because Mrs E had no direct contact with a BoS representative at any time during the process.

Having reviewed the application form filled out by Mrs E I think BoS made her aware that the PPI was optional and that she chose to take it. I say this because there is a separate section in the application form entitled *Payment Protect and Card Care Registration*. It provided Mrs E with the option to either tick a box to include the PPI or tick to confirm she didn't want it. The box to include the policy has been ticked and Mrs E has signed her name next to it. So I think she would've understood she didn't have to have it and that she agreed to add it to her card. But I can understand why, after all these years, she may not remember this.

As Mrs E applied for the card through the post I agree that BoS didn't recommend the PPI to her. So it didn't have to check if it was suitable for Mrs E.

It's possible the information BoS gave Mrs E about the PPI wasn't as clear as it should've been. But it's unlikely Mrs E would've been affected by any of the main things the policy didn't cover. So I don't think better information would've stopped her buying it. The CMC has said that Mrs E had other means available to her if she stopped working for any reason. We asked for more information about these other means but never received any. So I am unable

to find that these other means, or clearer information about the costs and benefits of the policy, would've stopped Mrs E from taking out the policy.

I want to reassure Mrs E that I have looked at all the information I have about her complaint. Having done so I don't think BoS mis-sold the PPI policy to her. So I don't think it owes her any money.

my final decision

For the reasons set out above, I don't uphold Mrs E's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs E to accept or reject my decision before 14 October 2016.

Karen Hanlon
ombudsman