

complaint

Mr C complains that Vanquis Bank Limited mis-sold a credit card account to him as at the time he was over 80 years old and in poor health.

our initial conclusions

The adjudicator did not recommend that the complaint should be upheld. He said that Mr C had completed an application form and spoken to Vanquis Bank about this and was given a modest credit limit. He agreed to take a Repayment Option Plan (ROP) product which he was told was optional. Mr C later activated this for 24 months, providing him with a debt freeze and was then offered instalment payment arrangements. He could not see that Mr C's age, or health conditions, the latter which he had not been asked about, should have prevented him having the credit card.

Mr C did not agree and said, in summary, that he had been bombarded with calls from Vanquis Bank, was in debt and decided that this easy option offered him a lifeline. He does not consider it was responsible for Vanquis Bank to agree his application.

my final decision

To decide what is fair and reasonable in this complaint, I have considered everything that Mr C and the business have provided.

I can see that on the application form completed by Mr C he said he was retired and had a household income of £21,000 per year. I agree with the adjudicator that his age or any health conditions were not necessarily any bar to him being accepted. In fact Mr C activated the ROP for 24 months on the basis of his health conditions. I am not persuaded that Vanquis Bank was irresponsible in providing this credit card. Mr C used the card and had the benefit of the funds. He is reasonably responsible for repaying the debt and I can see that payment options have been offered to him. The debt has been passed to debt collectors and although he wants this service to help him agree a plan this is not possible. I would though expect his personal circumstances to be taken into account in any plan he is offered.

I know Mr C will be disappointed when I say that my decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I am required to Mr C either to accept or reject my decision before 16 September 2014.

Michael Crewe

ombudsman at the Financial Ombudsman Service

The ombudsman may complete this section where appropriate – adding comments or further explanations of particular relevance to the case.

ombudsman notes

what is a final decision?

- A final decision by an ombudsman is our last word on a complaint. We send the final decision at the same time to both sides – the consumer and the financial business.
- Our complaints process involves various stages. It gives both parties to the complaint the opportunity to tell us their side of the story, provide further information, and disagree with our earlier findings – before the ombudsman reviews the case and makes a final decision.
- A final decision is the end of our complaints process. This means the ombudsman will not be able to deal with any further correspondence about the merits of the complaint.

what happens next?

- A final decision only becomes legally binding on the financial business if the consumer accepts it. To do this, the consumer should sign and date the acceptance card we send with the final decision – and return it to us before the date set out in the decision.
- If the consumer accepts a final decision before the date set out in the decision we will tell the financial business – it will then have to comply promptly with any instructions set out by the ombudsman in the decision.
- If the consumer does not accept a final decision before the date set out in the decision, neither side will be legally bound by it.