

complaint

Mr W is unhappy that The Royal Bank of Scotland Plc transferred his debt between collection agents and that one of these did not respond to a verbal settlement offer he made. He requests that the debt be waived.

our initial conclusions

The adjudicator did not recommend that the complaint should be upheld. He noted that Mr W did not dispute the debt and had not suggested that he had not had the benefit of spending on the account over a period of years. He had not shown that it was unfair or unreasonable that Royal Bank of Scotland should ask him to repay the debt, nor that he had been unreasonably or unfairly treated.

Mr W disagrees with the adjudicator's opinion. He believes he should not have to repay the debt because the bank was insured against bad debts and mishandled the situation by discourtesy and incompetence.

my final decision

To decide what is fair and reasonable in this complaint, I have considered everything that Mr W and Royal Bank of Scotland have provided. Having done so, I have come to the same overall conclusion as the adjudicator did, for much the same reasons.

There is nothing wrong with instructing a second collection agent. Royal Bank of Scotland has no record of the verbal offer made by Mr W but if it were made the bank was at liberty to refuse it. I am not persuaded that Royal Bank of Scotland has caused Mr W financial loss or distress or inconvenience.

For the reasons I have explained, my decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr W either to accept or reject my decision before 3 September 2013.

Edward Callaghan

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.