

complaint

Mr B has complained that Lloyds Bank PLC ("Lloyds") mis-sold a Silver packaged bank account to him 2011. They paid a monthly fee for the account which included some benefits.

background

One of our adjudicators has looked into Mr B's complaint already and he didn't think that Lloyds mis-sold the packaged account to him. Mr B didn't accept this and asked for an ombudsman to look at the complaint and make a final decision.

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 explained how we handle complaints about packaged bank accounts on our website. And I've used this approach to help me decide Mr B's complaint. I agree with our adjudicator that Lloyds didn't mis-sell the packaged account to Mr B. And so it doesn't need to pay him any compensation. I'd like to explain why.

When Mr B asked for an ombudsman to look into the complaint he gave main reason as he was told free accounts weren't available as they were a thing of the past.

I've carefully thought about these points and everything else I've seen on this complaint. But I don't think that Mr B's complaint should be upheld because:

- Mr B's said he was told fee free accounts were a thing of the past and were no longer available. But I have to think about what he's said in the overall context of everything else I've been provided with. I accept that Mr B's account was opened as a fee paying Silver one. But it's common knowledge that fee free accounts are widely available in the United Kingdom. And it looks like Mr B had one with another bank when he opened this account. I know Mr B's said that he approached Lloyds for an account because he needed a new one as he was in the middle of divorcing his then wife and they couldn't remain on a joint account with her. But this doesn't mean that he couldn't have opened a separate account with that bank. And I think it's more likely that Mr B would've done this if he was told that Lloyds only offered fee paying accounts. Having thought about everything, I think it's likely that Mr B knew he could've had a free account if that's what he wanted. And I think it's likely that he instead chose the Silver account as he thought that the benefits it included might prove useful to him.
- Lloyds has said it recommended the account to Mr B. So this means that it had to make an appropriate recommendation to Mr B, by taking reasonable steps to ensure that the selected account was a good fit for his circumstances. I don't know how far Lloyds enquired into Mr B's circumstances before it made its recommendation. But having thought about Mr B's wider circumstances and his actions since taking the account, I don't think that any shortcoming that may have existed in Lloyds' assessment of his demands and needs resulted in an unfair recommendation being made to him. I say this because I think that Mr B looks to have been attracted to some of the benefits and he was able to use them. And it looks to me that the account chosen was the best match available when the benefits Mr B wanted are taken into account. Mr B used the breakdown cover included on a couple of

occasions. And he also – albeit sometime after – registered a handset for the mobile phone insurance. Although registering a handset wasn't a requirement to be able to claim on the policy, his registration of his handset does appear to suggest that he wasn't disinterested in the cover. At the time, the Silver account was the cheapest in Lloyds' range that included these benefits. And taking the Silver account was the only way that Mr B was able to have these benefits with Lloyds. So I think the Silver account was a reasonable fit when taking into account Mr B's demands and needs at the time. And I think that the advisor's recommendation of the Silver account was fair and appropriate – even though Mr B might not have had a need for all the benefits included in the package.

- Mr B might now think that he hasn't benefitted from the account as much as he had hoped and expected to when he initially upgraded. And given everything he may have read or heard about packaged accounts, I can understand why he might think his account was mis-sold. But I think it's likely that Mr B chose to take the Silver account because he wanted some of the benefits. And he was able to use them. So Mr B now, with the benefit of hindsight, thinking that the account hasn't proved value for money, doesn't on its own mean that the account was mis-sold.
- I've also thought about the sale of the Club Lloyds bundle. But it looks like Mr B bought this online and in his own time. It doesn't look like Mr B is unhappy with it and I haven't seen anything persuasive to suggest that it was mis-sold.

I'd like to reassure Mr B that I've looked at all the information provided about his complaint. And I've thought about everything he's said. But having done so, I don't think that Lloyds mis-sold the packaged account to him. So I don't think it owes Mr B any money.

my final decision

For the reasons I've explained, I don't uphold Mr B's complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr B to accept or reject my decision before 16 November 2015.

Jeshen Narayanan
ombudsman