

## **complaint**

Mr D and Miss J complain that The Prudential Assurance Company Limited ('Prudential') mis-sold mortgage payment protection insurance ('PPI') to them in 1999.

## **background**

The PPI policy was set up for Mr D only during a meeting with a representative of Prudential. Our adjudicator didn't think the complaint should be upheld. Mr D and Miss J didn't agree with that view and so the complaint has been passed to me to 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 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 D and Miss J's case.

I haven't upheld the complaint. I'll explain why below.

The first thing I've looked at is whether Mr D and Miss J would have known the PPI policy was optional and they didn't have to buy it if they didn't want it. I appreciate Mr D and Miss J told us that they couldn't recall being told about this policy. They also told us they thought they were led to believe PPI was part of a package they needed to obtain a mortgage.

I can't know what was said at the meeting when PPI was sold. So, I've looked at what Mr D and Miss J told us they remember about the sale, what Prudential say they think would have happened and the paperwork that's available from the time. I don't doubt that what Mr D and Miss J told us is what they honestly remember about the sale. But I've noted that the policy was sold around 14 years before the complaint was made to us and it may be difficult for Mr D and Miss J to remember precisely what happened so long ago. The paperwork shows that Mr D and Miss J refused a number of financial products, so I think they probably would have known the PPI was optional. I can also see various references on the documents to Mr D and Miss J wanting to protect their mortgage, so I think they probably knew about the policy at the time.

Prudential advised Mr D and Miss J to buy this PPI policy. That means they had to make sure it was suitable for their needs. Overall, I think the policy probably was a good fit for them. I can see that Mr D had only worked for his employer for quite a short time. So I think the policy would have provided benefits over and above those which he would have received from his employer. Mr D seems to have been in good health at the time, so I don't think he'd have been caught by any of the policy's exclusions around medical conditions. I haven't seen anything unusual about his employment circumstances that would cause me to think he wouldn't have been able to make a claim if he lost his job through redundancy. The evidence doesn't suggest Mr D and Miss J had a particular need to keep their costs down and the policy looks as though it would have been affordable for them at the time.

Even though the policy was suitable, Prudential still had to give Mr D and Miss J enough information about the PPI so they could decide for themselves whether it was right for them. It's possible that Prudential didn't give them all of the information they should have done. But I don't think more or better information about the policy would have made a difference to Mr D and Miss J's decision to buy PPI. The policy covered a mortgage that was secured on

their home. It looks as though Mr D and Miss J wanted to protect those repayments at the time and I don't think they'd have been prevented from making a claim under this policy if they needed to. So, I don't think that more or better information would have made a difference to their decision to take PPI.

It follows that for the reasons I've set out above, I don't uphold this complaint.

**my final decision**

As I haven't upheld the complaint, I don't require The Prudential Assurance Company Limited to take any action to put things right.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr D and Miss J to accept or reject my decision before 15 February 2018.

Nicola Bowes  
**ombudsman**