

## **complaint**

Mr M says Lloyds Bank plc mis-sold him a payment protection insurance (“PPI”) policy.

## **background**

This complaint is about a credit card PPI policy. Mr M took out TSB Trustcard credit card in 1995. The PPI policy was added to the account at some point between then and January 2000.

Our adjudicator didn’t uphold the complaint. Mr M 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 Mr M’s case.

I’ve decided not to uphold Mr M’s complaint. I’ll explain why.

- Lloyds no longer has a copy of Mr M’s credit application. I don’t think that’s unreasonable, given that Mr M took the card out so long ago. But it’s provided a sample of the type of credit card application form it was using at the time. This includes a box to tick if the applicant wished to take PPI. I acknowledge that I can’t be certain that Mr M took out the PPI at the same time as the credit card. But if he took it out at a later date, I think it’s likely he’d have realised that the PPI wasn’t compulsory. So overall, I think it’s more likely than not that Lloyds made Mr M aware that the PPI was optional and that he chose to take it – although I can understand why he may no longer remember this.
- I think it’s likely that Lloyds recommended the PPI to Mr M. This means it had a responsibility to make sure that the policy was suitable for him. But it doesn’t look as if it was unsuitable, based on what I’ve seen of his circumstances at the time. Based on what we know of Lloyds credit card PPI policies sold between 1995 and 2000, I can see no reason why Mr M would have been ineligible for the policy. And I don’t think it’s likely he’d have been caught by any of the things it didn’t cover – such as existing health problems or unusual employment arrangements. So I’m not convinced that there’d have been anything to stop Mr M taking full benefit of the policy if he’d needed to.
- Mr M’s told us he’d have been entitled to statutory sick pay from his employer at the time. But if he’d made a successful claim under the PPI policy, it would have helped with his monthly credit card payments for up to 12 months. What’s more, it would have paid out in addition to his sick pay, allowing him to use that to meet day-to-day living expenses. And it would have provided similar protection if Mr M had lost his job. Mr M’s told us he had no other means he could have used to make his credit card payments if he’d been off sick or lost his job. So I think the policy could have been useful to him.

- It's possible the information Lloyds gave Mr M about the PPI wasn't as clear as it should have been. But I think it's likely that Mr M chose to take out the policy, and so appears to have wanted this type of cover. I've seen nothing to suggest that he couldn't afford the policy. So I think it unlikely he'd have made a different decision if better information had been provided. On balance I think he'd still have taken out the policy.

I note that it appears that Mr M may have told Lloyds that he felt pressured into taking the policy. I've taken this into account. But while I accept that Lloyds may have recommended the PPI to Mr M, pressure is a different matter. I couldn't fairly conclude that Lloyds pressured Mr M into taking the policy based purely on his recollection of what happened so long ago. And I note that Mr M says he didn't consent to the policy, which he says was automatically added to the card without his knowledge. I find that hard to reconcile with any assertion pressured into buying the policy. So this doesn't change my conclusion.

### **my decision**

For the reasons set out above, I don't uphold Mr M's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 2 October 2017.

Juliet Collins  
**ombudsman**