

## **complaint**

Mr A says Lloyds Bank PLC ("Lloyds") mis-sold him a Gold packaged bank account. He's used a Claims Management Company ("CMC") to make his complaint.

## **background**

When it looked at Mr A's complaint, Lloyds agreed it had mis-sold the Gold account and offered a refund of the difference between its fees and the cheaper Silver account to put things right. One of our adjudicators looked at Mr A's complaint and didn't think that Lloyds had treated him unfairly. The CMC disagreed and asked for an ombudsman's 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 A's complaint.

Having carefully looked at everything provided, I think what Lloyds has already done to put things right is fair. So I'm not upholding Mr A's complaint and I'd like to explain why.

Mr A chose to take the Gold account. Lloyds has refunded the difference in fees between the Gold account and the cheaper Silver one because it says Mr A wanted and needed mobile phone insurance and the Silver account was the cheapest way for him to have this cover with Lloyds. Mr A registration of handsets shows that he had a need for mobile phone insurance and that he was relying on the cover. As Lloyds has put Mr A in the position he'd be in if he'd taken this cover in the cheapest way, I don't think Lloyds' paying back the difference in fees between the Gold and Silver accounts is unfair given the circumstances.

## **my final decision**

For the reasons set out above, I'm not upholding Mr A's complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr A to accept or reject my decision before 9 February 2018.

Jeshen Narayanan  
**ombudsman**