

complaint

Mrs H has complained that National Westminster Bank Plc (NatWest) mis-sold a packaged bank account to her in 2010. Mrs H upgraded her fee free account to an Advantage Blue account in 2010 which was converted to a Select Silver account in 2012. She paid a monthly fee for the account which offered several benefits in return.

background

One of our adjudicators has looked into Mrs H's complaint already. The adjudicator didn't think that NatWest mis-sold the packaged account and didn't recommend it pay any compensation.

Mrs H didn't accept this recommendation 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 is fair and reasonable in the circumstances of this complaint.

We've explained how we handle complaints about packaged bank accounts on our website. I've used this approach to decide what to do about Mrs H's complaint. I agree with our adjudicator that NatWest didn't mis-sell the packaged account to Mrs H and doesn't owe her any compensation. I'll explain why below.

When there is a lack of evidence and what has happened is in dispute, as is the case here, I have to make my decision based on what I think is most likely to have happened given the evidence I do have and the wider circumstances at the time.

Mrs H upgraded to a packaged account online by switching from a free account. She says she did this online following a visit to a branch where she was told that she would be able to have an overdraft by upgrading to the packaged account. It's possible she was told this. But having looked at NatWest's records, I can't see that Mrs H applied for an overdraft until a number of years later. Mrs H says that this is because she didn't need one, but if this was the case, I would've expected her to downgrade the account if she wasn't interested in any of the other benefits. And when she did apply for an overdraft, and this was declined, she still kept the account suggesting that this wasn't the only reason she was interested in the account. Considering all of this, I think it's most likely that she decided to take the account because she was attracted to some of the benefits it offered.

I accept that Mrs H may have had a discussion with NatWest branch staff prior to upgrading the account online. But I haven't seen anything to suggest there was a detailed discussion about her circumstances or that NatWest gave her a personally tailored recommendation that the account was right for her. So it didn't have to check if the account was suitable for her. But it did have to give her enough information about the account so she could decide if it was right for her.

The packaged accounts came with a number of benefits. I think it's likely that Mrs H would've been made aware of the key benefits when she applied for the account online, as these benefits make the account more attractive. The Advantage Blue account came with the choice of mobile phone insurance or breakdown cover. Mrs H selected mobile phone insurance during the online application, so it seems likely this is one of the reasons she was attracted to the account. She may not have gone on to use all of the benefits but this doesn't mean NatWest mis-sold the account.

Mrs H has told us that she did not upgrade her account from the Advantage Blue account to the Select Silver. NatWest says she didn't. But I don't think I need to make a finding on this point. Given that the account was migrating from one to another anyway, and NatWest made Mrs H aware of this, I don't think that this has a bearing on Mrs H's complaint. Had Mrs H not wanted the account to be migrated, she could've decided to downgrade her account but she didn't. So I think she was still likely attracted to some of the account benefits and decided to keep it.

It's possible that NatWest didn't tell Mrs H everything it should've about the packaged account. But I haven't seen anything to make me think that Mrs H wouldn't still have taken the account even if NatWest had told her everything.

I want to reassure Mrs H that I've looked at all the information I have about her complaint. Having done so I don't think NatWest mis-sold the account and I don't think it owes her any money.

my final decision

For the reasons I've explained, I don't uphold Mrs H's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs H to accept or reject my decision before 9 November 2015.

Rob Deadman
ombudsman