

complaint

Mr K complains that Vanquis Bank Limited added a repayment protection plan to his account without telling him and did not remove it when he asked.

our initial conclusions

Initially our adjudicator upheld the complaint because Vanquis had not provided enough evidence that it had cancelled the plan when Mr K asked. After this, Vanquis produced records of Mr K's calls and the adjudicator considered that the complaint should not be upheld as there was not enough evidence that Mr K had asked for the policy to be removed. Mr K did not agree and the complaint has been passed to me.

my final decision

To decide what is fair and reasonable in this complaint, I have considered everything that Mr K and the business have provided. I can see that Vanquis have provided a call script which it says would have been followed when Mr K was asked if he wanted the plan. I can understand why Mr K can no longer remember the call, given the time that has passed, but I think that it is likely that Mr K agreed to have the plan added to his account.

I have looked at the records of the calls from Mr K provided by Vanquis. I can see that the plan was removed when Mr K asked. Mr K has not been able to provide details of other calls when he asked for this to be done. Overall, I am unable to conclude that Vanquis didn't remove the plan when Mr K asked.

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr K either to accept or reject my decision before 2 March 2015.

Emma Boothroyd

ombudsman at the Financial Ombudsman Service

The ombudsman may complete this section where appropriate – adding comments or further explanations of particular relevance to the case.

ombudsman notes

what is a final decision?

- A final decision by an ombudsman is our last word on a complaint. We send the final decision at the same time to both sides – the consumer and the financial business.
- Our complaints process involves various stages. It gives both parties to the complaint the opportunity to tell us their side of the story, provide further information, and disagree with our earlier findings – before the ombudsman reviews the case and makes a final decision.
- A final decision is the end of our complaints process. This means the ombudsman will not be able to deal with any further correspondence about the merits of the complaint.

what happens next?

- A final decision only becomes legally binding on the financial business if the consumer accepts it. To do this, the consumer should sign and date the acceptance card we send with the final decision – and return it to us before the date set out in the decision.
- If the consumer accepts a final decision before the date set out in the decision we will tell the financial business – it will then have to comply promptly with any instructions set out by the ombudsman in the decision.
- If the consumer does not accept a final decision before the date set out in the decision, neither side will be legally bound by it.