

complaint

Mrs A complains that Vanquis Bank Limited mis-sold a Repayment Option Plan (ROP) to her when she took out a credit card. She is also unhappy that it did not provide her with a recording of the sales call despite several requests.

our initial conclusions

The adjudicator recommended the complaint be upheld in part. In his view, Vanquis provided evidence to confirm that it did explain the product features and benefits to Mrs A and she subsequently agreed to it. He also concluded that Vanquis should pay £8.92 to cover the costs of Mrs A's phone calls and £50 compensation for distress and inconvenience caused by her repeatedly having to ask for the call recording. Vanquis disagrees with the amount of compensation.

my final decision

To decide what is fair and reasonable in this complaint, I have considered everything that Mrs A and Vanquis have provided.

Firstly, with regards to the mis-selling of ROP, I am satisfied that Vanquis has now provided sufficient evidence to demonstrate that it was explained as an optional feature. I also consider it provided sufficient information to enable Mrs A to understand the product, which she subsequently agreed to.

Secondly, I am satisfied that £50 is a fair and reasonable amount of compensation for failure to provide Mrs A with a copy of the call recording, in addition to the £8.92 phone call costs. It has already paid her £33.92, so should pay her a further £25.

My decision is that I uphold this complaint in part. I require Vanquis Bank Limited to pay Mrs A £25 (in addition to the £33.92 it has already paid her) for distress and inconvenience, in full and final settlement.

Under the rules of the Financial Ombudsman Service, I am required to ask Mrs A either to accept or reject my decision before 19 December 2013.

Andrew McQueen

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

The adjudicator's opinion letter contained an error. The settlement indicated an amount of £25 for compensation and the adjudicator's note indicated £50 compensation. The adjudicator has apologised for the error and confirmed the correct amount should be £50. Vanquis disagrees with the £50.

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.