

complaint

Mr A has complained that National Westminster Bank Plc (NatWest) mis-sold him an Advantage Gold packaged bank account in 2006. He paid a monthly fee for the account which offered several benefits in return.

Mr A has used a claims management company (CMC) to bring his complaint to us.

background

One of our adjudicators looked into Mr A's complaint and didn't think that NatWest mis-sold the packaged account to him. The CMC and Mr A didn't accept this 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 have used this approach to decide what to do about Mr A's complaint.

Having thought carefully about all the points that have been made I don't think NatWest mis-sold the packaged bank account to Mr A. And I'll explain why.

- Mr A has said that NatWest led him to believe that the packaged bank account had to be taken in conjunction with a loan. But I don't think this is likely because Mr A didn't apply for a loan at the same time as he opened the account. I think it's more likely that Mr A was told he would get better rates on a loan, having the packaged account. He did then apply for a loan a couple of months later, and it's likely this was one of the benefits of the account that appealed to him and meant he was willing to pay for it.
- Mr A has also said that NatWest told him applying for the packaged bank account would improve his credit rating. The bank's records show that Mr A had previously also applied for a free account and not just a packaged bank account. I think this shows that he knew he could have a free account if that was what he wanted. I think it's more likely, he was told running any account successfully would improve his credit rating. Indeed Mr A was eventually successful in getting another account. Overall I don't think it's likely that NatWest misled him on these points or didn't give him a fair choice to take the packaged account when he took it out.
- I've seen nothing to suggest there were any detailed discussions about Mr A's needs or circumstances when the packaged account was taken out. So I don't think that NatWest recommended the account to Mr A, and so it didn't have to check if the account was suitable for him. It was up to Mr A to decide whether the account was right for him.
- NatWest had to give Mr A enough clear information about the Advantage Gold account for him to decide if he wanted it. It's possible that NatWest didn't tell Mr A everything it should've about the Advantage Gold account. But I haven't seen

anything to make me think me that Mr A wouldn't still have taken the account even if NatWest had told him everything.

- I think it's likely that Mr A opened the packaged account because he thought that some of the benefits would be useful to him. Mr A has said that he didn't need or use the travel insurance, mobile phone and car breakdown cover. But the car breakdown cover wasn't added as a feature of the account until a couple of years after he took out the account. He may not have needed to claim on any of the insurance policies attached to the account. But they covered Mr A against the *possibility* of something going wrong. And the bank has said that Mr A contacted it about the travel insurance, suggesting he knew about the cover and was interested in it. I can see that he later also registered his mobile phone handset. Just because Mr A might not have used *all* the benefits the account offered doesn't mean that it was mis-sold.

I want to reassure Mr A that I have looked at all the information I have about his complaint, including what he's said about being pressured to keep the account when he tried to cancel it. I can see that for a period of time Mr A wasn't charged any packaged account fees. Although NatWest hasn't been able to tell us why this happened I think it's possible that the bank may have agreed to stop the fees in response to his request to cancel the packaged bank account. But I also think it's just as likely that the fees may have stopped as a result of an administrative error. Whatever the case, I don't think there's enough evidence for me to say that Mr A was put under pressure. And anyway once the fees restarted, I think Mr A could have cancelled the packaged bank account at that point as he knew he could have a free account. Overall, I don't think NatWest mis-sold the Advantage Gold account to Mr A. I don't think it owes him any money.

my final decision

I'd like to reassure Mr A that I have thought about everything he's said. But for the reasons I've explained, I don't think the packaged account was mis-sold and so I don't uphold his complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr A to accept or reject my decision before 10 July 2015.

Sarita Taylor
ombudsman