

The complaint

Ms A complains that National Westminster Bank Plc wrongly made her account dormant, and she said it had deleted transactions from her statements for another account. Ms A said she'd lost money and her intellectual property as a result.

What happened

Ms A said that NatWest had wrongly made one of her accounts dormant. She completed the dormant accounts form that it told her to fill in, but NatWest never got in touch. And she said it had deleted transactions from her statement on another account. Because of these missing transactions, she said she'd lost money and intellectual property.

NatWest said that it hadn't made the account that Ms A was searching for dormant. It said that this account had been closed in 2011, when the balance of £1 was transferred to one of her other accounts. NatWest said that it should've told Ms A this straight away, when she sent it a dormant accounts form, so it said sorry for that.

And NatWest said that it doesn't delete transactions from statements. It can't do that. Transactions will sometimes show on an account then not on the resulting statement, if they don't actually go through. This can happen with direct debits that are returned on the same day, or card transactions which the merchant never claims. But NatWest can't just remove transactions from an account.

Our investigator didn't think this complaint should be upheld. She said that NatWest had sent our service statements showing that the account was closed as it said, and the money transferred to another of Ms A's accounts. So she didn't think NatWest had made this account dormant.

Our investigator also said that she hadn't seen anything to suggest that NatWest had removed transactions from Ms A's statements. She said she hadn't seen other cases where this had happened. And she said Ms A could get in touch directly with the merchant if she was expecting transactions to have taken place which didn't then show on her account.

Ms A wanted our service to tell her who closed her account, and to send her proof of this as well as the statement proving the £1 transaction. She wanted to know why NatWest hadn't told her this. And she wanted to know who we'd contacted to verify NatWest's story that it hadn't removed transactions from her statement.

Our investigator said that Ms A's account was closed on 22 July 2011. NatWest doesn't have records of how the account was closed any more, as this was now ten years ago. She explained that banks usually are only required to hold data for six years.

Our investigator said that she thought it was likely that Ms A had closed the account herself, because the final £1 was transferred to another of her accounts.

Our investigator said that NatWest should have provided Ms A with a response when she sent in her dormant account form, and it has accepted this.

Our investigator said that we had asked NatWest about what happened on Ms A's account. And she accepted that our service can't prove beyond any doubt at all that NatWest hasn't removed transactions from Ms A's bank statements – as it is not possible for us to prove a negative. But she said that it isn't common for NatWest to do something like this, and she had personally never seen that happen.

Ms A said that what we had sent her wasn't a bank statement, and there was no evidence to support our claims about a £1.00 transaction. And we'd said that NatWest didn't hold records in relation to the closure of the account. She said she couldn't accept our findings.

Ms A said she had asked NatWest for copy bank statements before the 6 year time period, and it provided inaccurate statements. She said that NatWest would only cover itself, as she was complaining about it. Ms A thought we should contact other businesses, and she said she wanted us to prove a negative.

Ms A said not only should NatWest have contacted her when she raised her dormant account complaint, it should have contacted her when it said it closed her account. She wanted to know what we meant when we said NatWest had acknowledged that it should have got in touch.

Our investigator didn't change her mind. Because no agreement was reached, this case came to me for a final decision.

What I've decided – and why

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

I've reached the same overall conclusion on this complaint as our investigator.

NatWest wrote to Ms A on 8 January 2021 about her complaint. It said to her then that it thought she'd closed this account herself, and it was sorry it hadn't got back in touch to tell her this when she first sent in her dormant account form. I've seen this letter, and it was sent to the same address that Ms A gave to our service.

I don't know if this letter arrived or not. If Ms A hasn't yet seen this, our service would be happy to share it with her.

Ms A then complained to our service. She's said she's not happy with the investigation we've done, because she thinks that NatWest would just cover itself.

It would be very serious, if NatWest were to lie to our service. I've not seen anything at all to suggest it has done that.

What NatWest has shown us, is a printout of the details it holds for the account Ms A says was made dormant. I'm satisfied that is what NatWest has said it is – the details of the last transaction on this account. NatWest has also shown us that the last £1 was transferred to another account, and it's shown us that this account was held by Ms A too.

From this, NatWest thinks it's most likely that Ms A closed the account herself.

Our investigator thought the same, and so do I.

Our service doesn't have to prove things beyond any doubt at all. That's often not possible. So we look at the evidence, and we decide, from that, what is most likely to have happened. I've considered the evidence here, and I think that it's most likely that Ms A closed her account ending 3827 in July 2011.

Ms A also said that we hadn't proved that NatWest didn't delete transactions from her statement. She wanted us to do a much more detailed investigation, and to contact other businesses. She didn't think we should just rely on what NatWest had said to us.

Our service doesn't just rely on what a bank says to us. We also draw on a considerable amount of previous experience. From that experience, I'm aware that transactions may show on an account, then not show up on the statement, for the two reasons that NatWest has given. Firstly, a direct debit might be reversed on the same day. Secondly, a card payment may be reserved, but then not taken by the merchant. Deposits for hire cars, for example, sometimes don't show on a statement, if the money is never actually claimed.

I haven't seen a bank deliberately remove transactions from a person's statement. Again, this is an extremely serious allegation.

Ms A wanted us to prove that NatWest hadn't done this. But, as I've said, our service doesn't have to prove things beyond any doubt at all. We look at the evidence, and we decide, from that, what is most likely to have happened. Here, the evidence we have is a statement from Ms A just saying that transactions are missing. And we have a statement from NatWest saying that it hasn't removed transactions, and it can't do that.

I've weighed this evidence, and I don't think it's likely that NatWest has removed transactions from Ms A's statements.

I understand that Ms A will be disappointed, as she's explained she would like us to do a much, much more detailed investigation, involving a number of other businesses. But I don't think that NatWest has done anything wrong here. And that means I don't think this complaint should be upheld.

My final decision

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms A to accept or reject my decision before 3 September 2021.

Esther Absalom-Gough
Ombudsman