

## **The complaint**

Mr P is unhappy that Santander UK Plc could not trace his dormant bank account.

## **What happened**

Mr P found an uncanceled passbook for a savings account with a bank I'll call B, which showed the account still had a balance in June 2006. He raised this with Santander, as it took over B's accounts following a merger between the businesses. However, Santander said it had no record of the account.

Mr P raised a complaint with Santander, and it said the account was not on its current records which indicates it was closed some time ago, and despite an exhaustive search by its archive team, no trace was found. Santander said annual statements and general banking correspondence would have been issued throughout the duration of the account.

Unhappy with its response Mr P brought his complaint to our service and he said:

- that Santander implied he closed the account without the passbook, which he strongly disputes. He also said it couldn't provide evidence he did so.
- That he has never received communication regarding the account.
- Mr P also said that under the Dormant Bank and Building Society Accounts Act 2008, an account is considered dormant after 15 years. He said he attempted to trace the account within this time period, and he thinks Santander should have maintained records relating to his account.

Our investigator did not uphold the complaint because he thought Santander had done all it could to locate the account. Mr P didn't agree with our investigator and as an agreement couldn't be reached, the case has been passed to me to decide.

## **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.

Having done so, I agree with the outcome our investigator reached and for similar reasons.

Firstly, I would like to reassure Mr P that I've taken everything he said about what happened into consideration. However, if there's something I've not mentioned, it isn't because I've ignored it. Instead, I've focused on explaining what is key to the decision I've reached. I'm satisfied I don't need to comment on every individual point or argument to be able to reach what I think is the right outcome. And our rules allow me to do this.

In this case what I must consider is if Santander treated Mr P fairly and reasonably. And ultimately if it has done enough to help Mr P to trace his account and I think it has. I know this will be disappointing to Mr P, but I'll explain why.

The uncanceled passbook is not enough evidence in itself that there was an outstanding

balance in the account or that the account wasn't closed by Mr P. Santander explained that account holders could make transactions from their account without the passbook if they provided identification, and I accept this. I would also add that passbooks can be lost, and replacements issued along the way, as such a rediscovered passbook may not show if the balance has been withdrawn or the account closed.

Santander provided screenshots to show it searched for the account using Mr P's name, date of birth, and his current and previous addresses but it was not able to locate the account in question. It has also shown that it contacted its archive team, and it conducted a further search, but it did not find records of a dormant account for Mr P. Ultimately, I'm satisfied Santander has done all I could reasonably expect to try to locate Mr P's account.

Financial businesses are not required to keep records indefinitely. Mr P has highlighted the Dormant Bank and Building Society Act 2008 and says an account is considered dormant after 15 years, however this assumes the account remained opened. Even if we were to rely on the passbook Mr P found, it indicates the last activity on the account was in June 2006, over 17 years ago. As such, I don't think it's unreasonable that Santander has little or no record of an account after so many years have passed.

Furthermore, the passbook Mr P found is an old B passbook, this was prior to B's merger with Santander, so it's possible that the account changed in some way or that a new passbook could have been issued. It is also possible that the account may have been closed even before the merger in 2008. I would also add that a bank isn't required to keep records for more than six years after it no longer has use of the information.

Santander's search identified several accounts Mr P previously held with it, but it has not been able to find the account in question. On balance, I think it's more likely than not that the balance was withdrawn, and the account closed at some point after the last entry in the passbook Mr P found. As such, I don't find Santander needs to do anything differently.

### **My final decision**

For the reasons I have given, my decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr P to accept or reject my decision before 24 May 2024.

Oluwatobi Balogun  
**Ombudsman**