

The complaint

Mrs M complains, as representative for the estate of the late Mrs B, that Bank of Scotland plc trading as Halifax won't let her to cash a banker's draft belonging to Mrs B. She would like Halifax to honour the payment.

What happened

The details of this complaint are well known to both parties so I won't repeat them again here. Instead, I will focus on giving the reasons for my 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.

Having done so I have reached the following conclusions:-

- I do appreciate Mrs M's concern, the bankers draft in question is for a significant sum. She tells us despite going through all of the late Mrs B's statements and savings pass books she can't find any evidence of the draft being cashed or deposited.
- I have seen a copy of the letter Halifax sent to Mrs B in June 2014 enclosing the relevant draft. Unfortunately banks only need to keep records for 6 years. Halifax has confirmed that it can't locate any documentation to show if the draft was cashed or not. From the information Halifax has provided I am persuaded it has tried to locate information about the draft but hasn't been able to do so
- The fact Mrs B still had the draft doesn't mean it wasn't cashed. Halifax accepts it would be unusual for a draft for such a significant sum to be held onto for so many years. However, it has explained the draft could have been reported as lost or stolen and so replaced with the replacement draft being cashed or deposited into another account
- As I understand it Mrs B held several different savings accounts with Halifax. She may also have had others with other organisations. I appreciate Mrs M had power of attorney from 2021. However the draft was issued in 2014 when I assume Mrs B was dealing with her own financial affairs. I think it's unlikely she wouldn't have done something with the draft.
- I do appreciate its unsatisfactory that Halifax, due to the time that has passed, can't confirm if Mrs M cashed the draft or not. However, I can't reasonably ask Halifax to pay the value of the draft to Mrs M's estate. It's a significant sum of money and with no evidence to support the draft is still valid it wouldn't be reasonable to do so .

My final decision

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask the estate of Mrs B to accept or reject my decision before 5 March 2024.

Bridget Makins
Ombudsman