

## **The complaint**

Mr Y is unhappy that he didn't have access to his accounts with Bank of Scotland plc. Mr Y said there were large sums of money in these accounts, and he wants it made available to him. BoS say these accounts closed many years ago.

## **What happened**

Mr Y said he was unable to access his savings that he had set aside for his retirement. Mr Y wrote to BoS asking it to resolve the matter but got no responses, so he contacted it by phone asking for action. He needed to gain access to his money. In the end Mr Y had to go into the branch to get access to his accounts.

Halifax accepted it hadn't responded to his letters and paid Mr Y £50 compensation. It said when Mr Y went into the branch it was able to reactivate his account so he could now access it. Unhappy with this Mr Y brought his complaint to this service.

Our investigator didn't uphold the complaint. She said Mr Y had statements from 2001/2 showing large balances. But BoS checked its records and found these accounts had been closed back in 2011. The closing balances were far lower than the amounts Mr Y said was still held by the bank but belonged to him. Our investigator accepted what BoS said. The evidence said the accounts had been closed and there wasn't large amounts held in the accounts for many years prior to closure.

Mr Y didn't accept this and asked for his complaint to be passed to an ombudsman 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.

Mr Y said he had £40,000 in one account and more than £90,000 in another. He said he'd provided a letter from BoS in 2006 showing large deposits were held in both accounts. Mr Y said in calls to the bank he was told the money was in a dormant account. When he visited the branch there were conversations with staff and issues with how to get access to the account and how to get money out. A branch staff member said they would close the account and that would show where the money was. But it didn't and then a junior manager said it didn't make any sense why the staff member had closed the account. Mr Y said a senior manager then requested statements leading up to this point, but these never arrived. Mr Y said despite making five or so visits to the branch there was still no access to his money. He said most of the letters he sent in were ignored. Mr Y said these savings were for his retirement and that *"I should not have to beg for my own money."*

Mr Y provided a letter from a lawyer which said in 2002 the sum of £87,935 was sent to Mr Y's account with BoS.

Mr Y said the interest on top of the money in the account should be considerable by now and he needs access to it. He said he hadn't banked the £50 compensation yet.

BoS accepted it had let Mr Y down by not responding to his letters and so it apologised and offered £50.00 compensation for the poor service. It noted Mr Y had been into branch and activated his account.

Later BoS said Mr Y made a further call about problems still ongoing with the dormant account. At this point it said Mr Y referred to a letter from 2006 which showed the large amounts in his BoS accounts. BoS said it couldn't find any further detail about these accounts. The one account it did find was an Instant ISA saver and it wrote to Mr Y to confirm this, and he then visited a branch with identification and the dormancy marker was removed from his account.

In its evidence to this service BoS provided account reports that said both accounts Mr Y is referring to were closed on 8 March 2011.

It said the account ending 58 had a closing balance of £1384.90 and the account ending 14 had a closing balance of £160.82.

Mr Y has checked with our investigator many times about whether or not this service has seen his evidence and he's adamant that it proves how much money is still in the account today. But the details I've seen in the reports provided by BoS shows that in 2004/5 there's much smaller amounts left in both accounts and these amounts slowly dwindled down to the final balances paid out in 2011 when the accounts were closed. I accept that Mr Y did have significant funds and the letter from 2006 confirmed that the funds were in the accounts in 2002.

But there's no evidence to show the amounts were still in those accounts later than 2002. The bank reports show that the large amounts weren't there in 2004/5. And that's more recent evidence than any details Mr Y has been able to provide. I've no reason to doubt the 2006 letter or the recent correspondence from the lawyer he provided but the amounts and dates involved predate the records produced by the bank. The bank records show the accounts were closed in 2011.

BoS have conducted checks and searches to look for all accounts in Mr Y's name. It found the account numbers Mr Y referred to and provided details going back many years showing how much was held in the accounts. There's nothing to suggest these details are wrong. I think BoS acted fairly and reasonably in finding the details it did, reactivating dormant accounts Mr Y requested it to, and I think the £50 compensation offer was fair and reasonable in the circumstances of this case and the poor service.

### **My final decision**

I don't uphold this complaint.

I make no further award against Bank of Scotland plc.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr Y to accept or reject my decision before 20 August 2024.

John Quinlan  
**Ombudsman**