

The complaint

Mr T Jr complains on behalf of his father, Mr T, about the service received from Lloyds Bank PLC ("Lloyds") when trying to locate a historical account that he believed Mr T held with it. Mr T Jr doesn't believe Lloyds have done enough in its efforts to locate the account and is unhappy it wrongfully disposed of a Data Subject Access Request (DSAR) hand delivered to one of its branches.

What happened

Mr T Jr visited a branch of Lloyds on 8 March 2024 on behalf of his father to initiate a trace on a historical savings account Mr T held with a provider that was transferred over to Lloyds many years ago. Mr T Jr provided passbooks he had that dated back to the 1960/70's. Mr T Jr was advised that the branch was unable to help with tracing the account as he wasn't able to provide a sort code, account number or valid address for Mr T and the limited historical information he did supply wasn't sufficient to trace an account in branch.

During the visit Mr T Jr made a DSAR on a piece of paper asking for CCTV footage from the branch and handed it to an employee at the branch. Unfortunately, this was securely disposed of - possibly due to the personal information contained on it – sooner than it should of and the DSAR wasn't actioned.

Mr T Jr raised a complaint about all this following which a DSAR was actioned by Lloyds executive team. Lloyds didn't agree its staff had made a mistake regarding the tracing of Mr T's account or provided poor service in this regard. It confirmed that it couldn't locate an account for Mr T on the information provided but advised it participates in the unclaimed assets scheme, in which if an account has been dormant or inactive for 15 years or more – as in Mr T's case - it will be closed and transferred to Reclaim funds and advised Mr T Jr to complete the online form and provided the website details for My Lost Account to access this.

Lloyds later accepted there was a service failing regarding the handling of the DSAR in branch which resulted in a delay in actioning it and apologised and paid compensation of £50 for the distress and inconvenience caused.

Mr T Jr is dissatisfied with this. He wants Mr T's account to be located, funds to be returned and an apology from Lloyds and so brought a complaint to this service.

Lloyds says Mr T Jr hasn't provided any evidence to suggest that his father's account was ever transferred over to Lloyds and that it is unlikely it would have any records dating back to the 1960/70's to substantiate this and that its branches wouldn't have access to any archive systems which is why it directs customers to My Lost Account.

Ideally Lloyds says it needs a sort code and account number to evidence the account was held by it but it can arrange a search of all archive systems if it can be provided with Mr T's previous address history dating back to when he held the passbook. Lloyds confirmed it was able to trace two accounts held within the Lloyds Banking Group but both were closed in 2012.

One of our investigator's looked into Mr T's concerns and found that as Mr T Jr wasn't a direct customer of Lloyds and was acting as a personal representative on this complaint, they were unable to assess the service he received or upset caused to him while in branch personally.

They thought they were able to look at the service received regarding the DSAR and agreed that Lloyds shouldn't have disposed of the DSAR but given the DSAR was actioned a few days later with minimal delay or impact, thought that the apology by Lloyds and £50 compensation offered was sufficient.

Regarding the tracing of Mr T's account given the time that had passed – going back over 50 years - they didn't agree that Lloyds had been provided with enough information to trace it and that Lloyds had done what it could to trace the account on the information it had which hadn't yielded any results.

They thought that Lloyds offer to conduct a search based on Mr T's address history and the suggestion it made to contact My Lost Accounts were suitable and that if Mr T Jr wished to do this he would have to provide Lloyds with this information dating back to when the passbooks were dated and held by Mr T. But as things stand they didn't require Lloyds to do anything further.

Mr T Jr disagreed, he says the FCA Handbook regulation makes it clear 'A firm must make appropriate arrangements to enable a banking customer, so far as is possible, to trace and, if appropriate, to have access to a deposit held (or formerly held)'.

And so he doesn't think Lloyds should be able to just give up and take no further action and that the passbooks provided have markers that Lloyds should be able to trace to an account and that not having a sort code or an account number isn't a valid excuse for not reuniting a customer with funds.

Mr T Jr says the discarding of the hand delivered DSAR without reason amounts to wilful abuse and is wrong. Mr T has asked for an ombudsman's decision on the matter.

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 hope that Mr T Jr won't take it as a discourtesy that I've described and condensed this complaint brought on behalf of Mr T in the way that I have. Ours is an informal dispute resolution service, and I've concentrated on what I consider to be the crux of the complaint. Our rules allow me to do that. And the crux of this complaint is about the service provided by Lloyds in tracing Mr T's account. Mr T Jr doesn't believe Lloyds have done enough to assist in the matter.

Firstly, I need to make it clear although I appreciate how frustrated Mr T Jr is about the situation as our investigator has already explained, I'm not able to look at the service Mr T Jr received by Lloyds and how this has impacted him personally, as he is not bringing this complaint as a customer of Lloyds but rather on his father, Mr T's behalf who is the eligible complainant here having a previous connection with Lloyds and not Mr T Jr who is acting as Mr T's authorised representative.

So although I can't look at any distress and inconvenience Mr T Jr might've suffered personally when visiting Lloyds branch, I can look at the service received in relation to the

DSAR and tracing Mr T's account as a customer of Lloyds. Based on the evidence I can't say exactly what happened, but I don't think this matters as Lloyds have already accepted it made a mistake in that the DSAR handed in branch by Mr T Jr was disposed of when it shouldn't have been. So all I have to decide is whether the apology and compensation of £50 Lloyds paid is enough to put things right for Mr T. And I think it is.

Despite the DSAR being disposed of incorrectly I note it was actioned a few days later and as I haven't seen that Mr T has been personally inconvenienced or distressed by this or suffered any financial loss as a result, I think the impact has been minimal. And so I think the apology and compensation of £50 is fair and in-line with what I'd expect and so I don't think Lloyds needs to do anything more here.

Moving on to the tracing of Mr T's account. Mr T Jr has pointed out the FCA handbook requires a firm to make appropriate arrangements to enable a banking customer, so far as is possible, to trace and, if appropriate, to have access to a deposit held (or formerly held).

So the question I have to ask is has Lloyds done enough to assist Mr T Jr in the tracing of Mr T's historical accounts.

And again – and I know this will come as a disappointment - I think Lloyds has.

Lloyds have explained that its branch staff don't have access to any archive systems and so I don't think it was unreasonable that without a sort code and account number it wouldn't be able to trace a historical account for Mr T.

My understanding is that the only information Lloyds were provided with regarding this account dated back to the 1960/70's – that may or may not have been transferred to Lloyds – is a passbook that besides Mr T's name had no other details by which to match a person to an account with Lloyds.

I appreciate Mr T Jr believes the passbooks with their markers should be enough on their own to trace any historical accounts. But clearly this isn't the case as if it was something that could be used in isolation something would've turned up. And having a passbook doesn't prove an account is still in existence. All it shows is that it was in existence at some point in time and in this case might have never even been transferred over to Lloyds.

I also think that if the account was still in existence Mr T would've likely been notified about the status of the account and any unclaimed proceeds – rather than it just being left dormant for over 50 years. And I would've thought Mr T to have received certificates of interest, indeed, for tax purposes these would've been required to be issued.

I'm also unable to say Lloyds have done anything wrong in not holding on to information or being able to access information on accounts dating back over 50 years – as it isn't legally required to do so. It wouldn't be fair to penalise Lloyds for not holding on to information or being able to produce information for a longer period than it is obliged to.

In any case Lloyds have advised Mr T Jr how he can trace an historical account by directing him to My Lost Account and offered to arrange a search of all archive systems if provided with Mr T's previous address history dating back to when he held the passbook. Both of which I consider appropriate options and in-line with what I'd expect.

And so this being the case I can't say that Lloyds have provided Mr T with poor service in this regard or treated Mr T unfairly and so I don't think Lloyds needs to do anything more to settle this complaint.

My final decision

For the reasons I've explained I've decided Lloyds Bank PLC have done enough to settle Mr T's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr T to accept or reject my decision before 27 February 2025.

Caroline Davies
Ombudsman