

The complaint

Mr L is unhappy with Bank of Scotland plc trading as Birmingham Midshires (BM Savings). Mr L opened a telephone saver account with BM in 2015. Recently he made contact with BM to find out what had happened to his account and the money invested. BM told Mr B it had no account or money held in his name.

I note Mr L has representation dealing with his complaint, but I will refer to him throughout.

What happened

Mr L said he never took the money out and never closed the account. Mr L checked with his regular bank to see if it could find any money paid into his account there from BM. He said the other bank had found nothing. Mr L said he hadn't asked for the money or transferred it to any other bank or account.

As BM couldn't find any trace of any open accounts for Mr L he raised a complaint. He produced evidence to show when he opened the account and how much he invested at that point. Mr L was upset that the parties involved all seemed to want to blame other financial providers rather than take responsibility and deal with his lost account. Mr L accepted that records don't have to be kept forever but didn't understand how there could be no record when the account was only opened in 2015. Mr L wants his money back with the accrued interest and compensation for the distress and inconvenience this caused him.

BM said Mr L didn't hold any *"active products."* It said the account he was referring to was closed. It said there was no banking error here. BM said account details are only available for seven years after an account is closed. It said it wasn't allowed to retain information any longer than that. It said, *"Based on what we do know, the account was closed more than 7 years ago, and I can confirm that the account hasn't gone into a dormant state as there are no funds in our Unclaimed Assets."*

BM concluded *"as the account was closed the funds would have been transferred out with a cheque or bank transfer."* It suggested Mr L place further checks on his linked account with another bank.

Mr L remained unhappy and brought his complaint to this service.

Our investigator didn't uphold the complaint. He noted Mr L had checked in detail with the bank holding his linked account and it hadn't been able to trace any payment coming from BM. Our investigator felt BM carried out reasonable searches looking for any accounts for Mr L. He accepted if Mr L's account had been transferred to dormancy/unclaimed assets it would have still shown on the BM system. Our investigator noted it only had one system. He said on the balance of probabilities it was most likely the account was closed more than seven years ago.

Mr L 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.

There's no dispute Mr L opened the account and paid in £10,000. BM followed Mr L's instructions to link the account with another he held with a separate bank.

Mr L doesn't believe that at any point he cashed in the account or closed it. He still thinks the money is held by BM and has accrued interest.

Mr L doesn't have any payments recognised on his linked account to show the money from the BM account was transferred there.

BM told Mr L it was unable to trace any open accounts for him. Mr L is unhappy with the service provided in trying to trace his account. He's been passed around between different banks and financial institutions who have attempted to shift blame. Mr L feels he's been given a lot of misinformation.

Although Mr L accepted BM only has to keep records for seven years, he finds it hard to accept there would be no record of the account that was only opened in 2015.

BM maintain the account was closed more than seven years ago. And it said this was shown by there being no dormant account and no funds in unclaimed assets.

BM did accept it was unable to confirm exactly what happened due to the seven year record keeping. It said the money would have been transferred out by a cheque or through bank transfer.

BM apologised for any upset caused. But said it had taken all the relevant factors into consideration and feels it reached a fair and reasonable conclusion.

Mr L produced evidence to show the account was opened. But BM produced evidence to show this hasn't been an active account in the past seven years.

I understand Mr L's point about BM having no records beyond the seven years. But I accept that this is the timescale BM is required to work within, so it isn't required to have any records beyond that. BM and the other financial institutions could've been clearer throughout.

BM has checked the system and there's no active products for Mr L. There's no record in unclaimed assets either. So, on balance the most likely option is that Mr L closed the account and moved the money more than seven years ago. I do accept Mr L doesn't remember this and didn't use the linked account. But there's no up to date record to show the account has been active in the past seven years.

Therefore, the evidence suggests that BM is correct. I think BM conducted the required checks and searches to try and find any accounts for Mr L. And I think BM has acted fairly and reasonably here when it said the account had closed and the money had been moved elsewhere.

My final decision

I don't uphold this complaint.

I make no award against Bank of Scotland plc trading as Birmingham Midshires (BM Savings).

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr L to accept or reject my decision before 7 July 2025.

John Quinlan
Ombudsman