

## **The complaint**

Mr M complains that HSBC UK Bank Plc is unable to trace a joint account he held with his ex-wife.

## **What happened**

In June 2024 Mr M was notified that his ex-wife had died. He had held a joint account with her which in 1997 was frozen by HSBC as the parties couldn't agree to its distribution. He was initially told that as his ex-wife had died overseas, he would need to produce a translation of the death certificate. HSBC later waived this requirement and advised Mr M that it didn't hold any live products relating to the estate of his ex-wife.

HSBC subsequently explained that it is not required to keep records of accounts longer than six years. It advised us that it had searched back 25 years, and not found the joint account in question so it had likely been closed.

On referral to the Financial Ombudsman Service, our Investigator said that HSBC had done all it could to locate the account and that it was likely that the account had been closed and the funds withdrawn.

Mr M didn't agree as he had evidence that the account was frozen by the bank in 1996-7, and he hadn't agreed to it being unfrozen.

The matter has been passed to me for an Ombudsman's consideration.

## **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.

Where the evidence is incomplete or contradictory, as some of it is here, I have to make my decision based on what I think is most likely to have happened. But it may be that I can't make a finding and if this is the case I shall say so. I have a duty to be impartial so I have to assess both parties' evidence fairly.

As Mr M has been advised, HSBC isn't required, under Data Protection rules, to keep records for a closed account going back for more than six years. And it's advised us that it has carried out a search of its records going back to 2000 and can't find any trace of the account in question. In such cases we expect the business to do a thorough search, which it appears it has done. I think it's reasonable to accept that. It can't send us copies of its search records as they contain only information relating to other customers. But we wouldn't expect it to keep records for longer than it's required to.

The evidence Mr M has showed us are letters from the bank in 1996 and 1997 concerning an account that existed at least up until 1997. But unfortunately those letters are not proof that the account still exists, some 28 years later. It appears to me likely that the account was closed down more than six years ago and probably before 2000. I appreciate that Mr M

didn't give permission for this, but from the evidence I can't make a finding that the account, or any money in it, is still retained by HSBC.

### **My final decision**

I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 30 July 2025.

Ray Lawley  
**Ombudsman**