

## **The complaint**

Ms L complains she hasn't been provided with proof of where a cheque from Phoenix Life Limited (Phoenix) was encashed in 2018. Because of this, she believes she is owed the cheque amount of £1,350.

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 won't be upholding this complaint. I've explained why below.

## **What happened**

In or around November 2024 Ms L contacted Phoenix to enquire about her Guaranteed Cashback Plan Term Assurance policy. Phoenix wrote to Ms L on 21 November 2024 explaining a cheque payment was issued to her on 23 May 2018. The letter confirmed the policy number, the payee's name, the cheque amount and the date the cheque cleared.

Ms L checked with her bank to see if they could provide proof the amount cleared in her account, but Ms L confirmed there's no record of the payment.

Ms L remained unhappy with Phoenix's response and asked further questions of them in December 2024, such as confirmation of the bank account where the cheque was deposited. Phoenix was unable to provide more information due to the length of time since the cheque had been issued.

Ms L raised a complaint with Phoenix who investigated the matter and issued a final response on 23 January 2025 confirming their Financial Team were unable to trace the information about the cheque. Ms L suggests she didn't receive this final response letter at the time and made further enquiries with Phoenix about the cheque.

As Ms L didn't receive a response from Phoenix she referred the complaint to our service. One of our Investigators looked into the complaint but didn't uphold it. They said that it was reasonable that information about the cheque, including which bank the amount cleared with, wasn't available as it had been over six years. And six years is the limit as to how long a business is expected to keep detailed records about the policy.

Ms L remained unhappy with the outcome saying she hasn't been provided proof of where the funds were paid to, therefore she is owed the money from her policy. The Investigator wasn't tempted to change her mind therefore the complaint has been passed to me to decide.

## **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 agree with the conclusions reached by our Investigator for broadly the same reasons.

Ms L hasn't seen proof from Phoenix to confirm where the proceeds of the cheque were paid to, so believes this money is owed to her. But Phoenix have provided all the information they have available to them about the cheque and when it cleared. Due to the passage of time, Phoenix isn't able to provide any more information.

The cheque cleared over seven years ago. So understandably there isn't a full record of what happened. Businesses aren't obligated to keep records for an indefinite period and have a responsibility to remove information that is no longer relevant. This is appropriate here as the policy is no longer in place so there's no obligation to keep all information.

I appreciate Ms L would like to have seen information from Phoenix as to which bank the funds were cleared with so she could check the funds were received at the time. But due to the passage of time this isn't available.

Ms L has offered to provide statements from her own bank which she believes the cheque would have been cleared with. This would support her position that the policy proceeds haven't been paid to her. However, the lack of evidence on Ms L's statements would only confirm the cheque wasn't cleared with that bank – it doesn't confirm the cheque wasn't encashed elsewhere.

The available evidence shows that Phoenix prepared and issued a cheque to Ms L in May 2018 and the funds cleared on 31 May 2018.

I recognise this isn't the outcome Ms L wanted but I'm satisfied Phoenix have provided all the information they hold about the cheque.

### **My final decision**

For the reasons I've explained above, my decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms L to accept or reject my decision before 10 March 2026.

Andy Hurle  
**Ombudsman**