

The complaint

Mr W is the executor of his wife's estate. He is also the main beneficiary. He complains that Bank of Scotland plc will not pay to the estate the balance of an ISA in his wife's name. The bank trades in this case under its Halifax brand.

What happened

Mrs W died in September 2024. While dealing with her estate, Mr W found a Halifax passbook relating to an ISA in her name. Its most recent entry was dated 15 March 2010 and showed a balance of a little over £15,000. Mr W approached Halifax for the money, but it said that it had no record of an account in Mrs W's name.

Mr W said that the account must still be open, since it would not have been possible for his wife to close it without the passbook; if it had been closed, therefore, that would have been shown in the passbook.

Halifax carried out a further search, which identified some limited records of the account. Those records showed, the bank said, that the account had been closed in March 2011 and the funds paid away. Mr W continued to maintain that that cannot have been the case, since that was not what the passbook showed. He referred the matter to this service.

One of our investigators considered what had happened but did not recommend that the complaint be upheld. In a preliminary assessment, the investigator concluded that the bank's records showed that the funds in the account had been withdrawn in March 2011, as it had said.

Mr W did not accept the investigator's assessment and asked that an ombudsman review the case.

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, however, I have reached the same overall conclusion as the investigator did, and for similar reasons.

I can understand why Mr W might believe that the existence of a passbook indicating that an account remains open is evidence that the account is indeed still open. However, since accounts were computerised from around the 1970s, passbooks have ceased to be the primary record of an account. That is true even of accounts which were opened much later; Mrs W's account was opened in 2003, for example. A credit balance showing in a passbook is in reality little more than a snapshot of the position on the account at a point in time. It has for many years not been necessary for a customer with a passbook account to produce the passbook to carry out transactions, even including account closure.

Halifax's records do indicate that all the funds in Mrs W's account were transferred from it in March 2011. I would not expect Halifax to have kept complete details of the transfer – for example, information about how the money was withdrawn or, if it was transferred, where it was transferred to. I appreciate that Mr W would at the very least like to be able to trace the funds, and it may be that other documents in his possession will indicate a "matching" payment to another account. But Halifax was not obliged to keep records dating back to 2011, so I cannot say it has acted unfairly by not doing so.

My final decision

For these reasons, my final decision is that I do not uphold the estate's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask the estate of Mrs W to accept or reject my decision before 23 December 2025.

Mike Ingram
Ombudsman