

complaint

Miss N complains that HSBC Bank plc failed to credit her account with money that she paid in. She considers that the bank should compensate her for the missing money.

background

In July 2012 Miss N visited the bank to pay some money into her account. She paid in a cheque, which was duly credited to the account. And she made a payment to a third party. She says she also paid in some cash, which she clearly remembers the cashier took and counted. But Miss N only wrote the details of the cheque on the paying in slip. She says she forgot to include details of the cash. She normally does her banking over the phone, but she had to visit the branch to pay the cash in. When she asked the cashier for her balance, she was told that the deposit she'd just made wouldn't be shown straight away. Miss N says that if she had been given her balance, it would have been immediately clear that the cash hadn't been deposited.

Miss N returned to the branch six days later, as the cash had not been credited to her account. She was told that the cashier who had served her was away for a fortnight. She asked the bank whether she should contact the police about the missing money. It told her that wouldn't be necessary and that someone would contact her once the tills had been checked. After the bank contacted Miss N to confirm that there were no till discrepancies, she did report the matter to the police.

Miss N believes that the cashier knew that with no mention of the cash on the paying-in slip there would be no trace of the cash. She doesn't accept the fact that there were no till discrepancies as proof that she didn't pay the money in. She believes that if the bank had had CCTV in operation, it would support her version of events.

Two adjudicators have issued opinions on Miss N's complaint. Neither recommended that it should be upheld. The first adjudicator referred to a statement provided by the cashier who served Miss N, saying she had no recollection of Miss N depositing cash on the day in question. The branch manager had said that the cashiers were very experienced and would not accept a cash credit without giving a receipt. The branch had looked again at the till records and found no discrepancies. The adjudicator considered that if the cash had been paid in, there would have been a record of it.

The second adjudicator added that there was no mention of any cash on the paying-in slip. She didn't consider it reasonable to expect the cashier to remember the transaction.

my findings

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint. Having done so, I have reached the same conclusions as the adjudicators, and for much the same reasons.

Where the evidence is incomplete, inconclusive or contradictory (as some of it is here), I reach my decision on the balance of probabilities – that is what I consider is most likely to have happened, given the evidence that is available and the wider circumstances.

I appreciate that Miss N believes that she deposited £300 cash when she paid the cheque into her account. I understand her frustration. But she has been unable to provide a receipt

for the transaction. I have examined the bank's cash reconciliations for the day of Miss N's visit and they show no discrepancies. The bank is not required to make or keep CCTV recordings of its banking hall. Even if it did I think it unlikely it would provide conclusive evidence. In the circumstances, I cannot safely conclude that the bank has made a mistake.

my final decision

My decision is that I do not uphold this complaint.

Juliet Collins
ombudsman