

complaint

Mr B complains that Barclays Bank Plc ("the bank") can't trace a dormant account that he had held with it since 1974, and says that it has therefore been negligent either in losing trace of the account, or in allowing the funds to be withdrawn and the account closed by somebody other than himself.

background

Mr B opened an account with a local branch of the bank in 1974. He recalls making a number of deposits into this account until 1977, including one cheque for £1000. In 1977 he had to unexpectedly leave the UK due to ill health, and was unable then to return until 2002. When he did he contacted the bank to trace his account but it said it couldn't help him. When his daughter later joined him from abroad in 2012 she was able to help him in making a formal written complaint to the bank.

The bank responded to the complaint stating that due to the passage of time, and the lack of account information or documentation from Mr B, that it was unable to conclude that he had held an account with it and that it was responsible for this loss, noting that the loss itself wasn't specifically quantifiable.

Mr B brought his complaint to this service, and our adjudicator considered all of the submissions. She concluded that she was unfortunately unable to uphold the complaint as there was no evidence to support the fact that the account originally existed, how much money was in it, and then that the bank through negligence had either lost track of it or allowed a fraudulent third party to gain access to the funds and close it.

Mr B did not accept this decision and sought referral to an ombudsman.

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'm afraid that I'm unable to depart from the conclusion reached by our adjudicator. In saying this, I'm entirely aware of how disappointing and upsetting this will be to Mr B, who I don't doubt truly does believe that when he left the UK in 1977 that he left behind a bank account with what was at the time a significant sum of money deposited in it.

However, evidentially I have very little information on the account itself other than at which branch it was opened, which address Mr B lived at at the time, and that in addition to some other deposits he paid a £1,000 cheque into it between 1974 and 1977.

Unfortunately this information simply isn't enough to satisfy me that it is more likely than not that the account did exist when Mr B left the UK in 1977 and that since then neither he, nor anyone authorised by him has accessed the money and closed the account. Without an account number, sort code, final balance, or any documentation relating to the account I have to rely entirely on Mr B's own recollection, which although I do not doubt is over 35 years old by now, and also on the results of the bank's own efforts to locate the dormant account, which were unsuccessful.

The bank did carry out a search of its dormancy register, based on the very little information it had, but nothing matched with the figures, dates and circumstances in this case.

In light of the lack of evidence, and the significant passage of time, I'm afraid that I simply couldn't safely conclude that the account did remain open with the bank and in funds, and that the bank is guilty of any error in this case for not now being able to find it. And even were I to make an award to Mr B, as I don't know how much money was in the account when he made his final deposit in 1977, I wouldn't be able to accurately quantify his loss.

I appreciate that this decision will be disappointing for Mr B, and he does have my sympathy for the circumstances he now finds himself in, but it simply wouldn't be fair for me to reach any other conclusion based on the facts and circumstances before me.

my final decision

My final decision is that I do not uphold the complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr B to accept or reject my decision before 30 December 2014.

Ashley L B More
ombudsman