complaint

Mr H complains that at some point in early September, he cannot remember the exact date, his partner went to a National Westminster Bank Plc branch and paid off the balance of his credit card. Unfortunately this payment was never credited to his account and the bank says it has no record of the payment ever being made.

our initial conclusions

Our adjudicator thought that NatWest had acted fairly. As a result he didn't recommend that the complaint should be upheld.

NatWest accepted this recommendation. Mr H didn't. He repeated the points he'd made before. In particular he said he should be able to look at the CCTV footage from the bank branch for the relevant dates as he thought this would support his version of events. He asked for *"further assistance"* so the complaint was sent to me to review.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. I've finished my review of Mr H's complaint. I realise that this will disappoint Mr H but I'm not upholding his complaint. I explain below why I've come to this conclusion.

what Mr H says happened

Mr H has shown us where the money came from which he says his partner used to pay off the balance of his account. He's also told us the approximate date when he believes the payment was made.

Further, he tells us we are not holding NatWest to account as we should. He says this because he thinks the CCTV footage would back up his story and prove the money was paid in. So he thinks it's wrong that he's not been allowed to see it.

He explains that the only possible explanation for what's gone wrong here is that a member of NatWest's staff has acted illegally and deprived him of his money.

In addition Mr H says he did have a paying-in receipt but unfortunately he threw it away several weeks after the payment was made. He says he did this before he realised NatWest was disputing that it'd received the money.

Finally he says that his work and his personal relationship are now under great stress because of what NatWest has done.

what NatWest says happened

NatWest by contrast says the information it has doesn't for the most part tie up with what Mr H says. Its records show that in early September Mr H rang to ask it about the payment. It says he was told it had no record of the payment being made. Mr H then asked it what would happen if he'd lost the paying-in slip. But then he told it that in fact he'd merely misplaced the slip and would find it.

It points out that Mr H says his partner paid in £610 the balance on the credit card was £608.75 so she was given £1.25 in change. But the bank's records show that the balance was in fact £507.56 at the relevant time.

Further it explains that if a payment is made which is not allocated to an account this would be picked up at the end of the working day when the bank branch balances its tills. But it checked to see if there had been a cash surplus on the relevant days and there wasn't.

The bank says Mr H has been inconsistent about when the payment was made. He has mentioned a number of dates one of which was a Bank Holiday.

It continues to decline Mr H's request to see the CCTV footage. It says all this would show was who was in the bank branch. It wouldn't though show what transaction happened – if any. So it wouldn't help Mr H's case as he thinks it would.

why I can't be as sure as I need to be that the payment was made

I've got two different versions of the same events. When this happens I have to decide which is most likely to have happened.

I don't find it surprising that Mr H can't recall the exact date when the payment was made. I can only imagine how shocked he was when he found out that NatWest said it hadn't received the payment.

That said I don't give the CCTV footage the importance Mr H does. Even if it shows his partner was in the branch when he says it's not going to show for sure that she made the payment he says she did.

I find it difficult to understand why Mr H discarded the paying-in receipt when it seems likely that he knew at that point that the bank was saying it hadn't received the payment. It was a vital piece of information at the time Mr H got rid of it and I think Mr H ought reasonably to have realised this.

From what I've seen NatWest has specific processes in place to deal with cash transactions. These are there to protect NatWest's customers and staff as well as to help it comply with relevant regulations, laws and guidance. So even if the transaction had been mis-keyed I would've expected that any cash discrepancy would've shown up due to these processes.

I've no reason to doubt NatWest when it says it did these checks. Neither am I persuaded that a member of staff pocketed the cash as Mr H says.

I can well understand why Mr H wants to know with certainty what happened to his money. He's out of pocket and not getting the help he wants. But in the circumstances it's not possible to give him this certainty. But I can say for the reasons I've set out I don't think it's more likely than not that NatWest made a mistake in processing the payment.

It follows I cannot in all fairness ask it to do anything more than it's done already.

my final decision

My final decision is that I don't uphold Mr H's complaint

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 12 February 2016.

Joyce Gordon
ombudsman