

complaint

Mr H complained to Barclays Bank PLC on behalf of the estate of his late mother Mrs H. He had found an old Woolwich passbook in his mother's name. Barclays, which had taken over Woolwich, said there was no longer any money in the account.

background

Mr H found a Woolwich passbook in his late mother's name. The last entry had been in summer 2000, showing a balance of over £4,000. He approached Barclays for the money.

Barclays said it had looked at its records of historic Woolwich accounts, using Mrs H's details and two numbers which were on the passbook, but hadn't found any information. The bank explained that if an account becomes inactive, it's classified as dormant, closed, and the funds moved to an internal account where the records are held indefinitely. If, on the other hand, an account is closed in the normal course of banking, records are only kept for six years after the closure. So Barclays said this would indicate the account had been closed more than six years ago, in the normal course of banking.

Barclays also said that passbooks weren't used after 2001, so money withdrawn after that wouldn't be shown in a passbook. Mr H wasn't satisfied and complained to this service.

The adjudicator looked at Barclays' screenshots of the searches – for the two numbers on the passbook, for Mrs H's name, and for Mrs H's postcode. These searches all showed no records found. The adjudicator explained that banks don't have to keep records for more than six years, and she considered Barclays had done all it could to locate the account.

Mr H was unhappy with this. He said a passbook should only have one account number, so he wanted to know why there were two account numbers, and he said there was a third number too. He said he'd read on the internet about Barclays dismissing sums of money saying the funds had previously been withdrawn. He said Barclays couldn't prove his mother had withdrawn the money, unless it produced a withdrawal slip to prove she'd taken the money out. He said the passbook was in existence and showed a sum of £4,000 which should go in his favour as the claimant.

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 appreciate that it's very frustrating to find a passbook which appears still to have money in it, which isn't traceable. But I have to look at the evidence, and a passbook showing a balance isn't a guarantee that the sum shown was never taken out. A key fact here is that banks didn't collect in passbooks when they changed to non-passbook records. Barclays' letter to Mr H said Woolwich changed over in 2001. So whatever happened to Mrs H's account after 2001 – whether it was putting money in or taking it out – wouldn't have been recorded in that passbook. The passbook isn't evidence of what money Mrs H had with Woolwich when she died, only what she had in summer 2000.

It's true that banks don't have to keep records for more than six years. It's a shame that Mr H didn't find his mother's passbook when she died in 2003, because at that point the last entry (in 2000) would have been within this six year period. So records would still have been in

place for what happened between 2000 and 2003. But unfortunately, that's not where we are now, and the bank is entitled to destroy records more than six years old.

I have looked carefully at the searches which Barclays did on its Dormancy records. I've also looked at the numbers on the passbook. The passbook has a printed number at the top, and a handwritten number at the bottom. It also has a much shorter printed number at the bottom which includes a letter as well as numbers. Barclays' searches were for:

- the printed account number at the top of the passbook;
- the handwritten account number at the bottom of the passbook;
- Mrs H's name;
- Mrs H's postcode.

All four show no records were found. Barclays said that the shorter printed number, including a letter, wasn't the right format for an account number but was probably the Woolwich's serial number for the passbook. I don't know why Woolwich had two numbers on the passbook, and Barclays didn't know, but what matters is that Barclays searched both.

I have checked that the numbers searched are the same as those on the passbook. I have also checked the name is spelled correctly, and I've also checked that the postcode was correct. So I accept that Barclays searched properly and genuinely found no records.

Where the evidence is incomplete, I reach my decision on the balance of probabilities – in other words, what I consider is most likely to have happened in the light of the available evidence and the wider circumstances. It's not a matter of deciding that it should go in favour of the claimant, as Mr H would like. Here, I find that the searches show that there is no money in Mrs H's name, on the criteria searched, in Barclays' dormant accounts. So, on the balance of probabilities, I think it's more likely than not that Mrs H closed her account some time after Woolwich stopped using passbooks in 2001, and before she died in 2003. This is all more than six years ago, so Barclays doesn't have to have kept records going that far back. This applies both to what happened to the account, and to withdrawal forms.

I appreciate that this is frustrating for Mr H. If he'd come across the passbook within six years of the last entry in the book, he would at least have had the certainty of knowing what had happened. But I find that the searches Barclays completed on its dormancy records were as full as it could conduct, and that it didn't have to keep records for more than six years. So I can't uphold Mr H's complaint on behalf of his mother's estate.

my final decision

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

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H, on behalf of the estate of Mrs H, to accept or reject my decision before 18 February 2016.

Belinda Knight
ombudsman