

complaint

Mr H's wife found an old passbook in his name where the last entry is in 2003. He complains that Santander UK Plc will not tell him what has happened to the balance.

background

The bank said Mr H's account was closed at the beginning of 2004, the money transferred to another account and then the balance was paid two days later by cheque. Mr H didn't accept this. He's gone through all his account records going back to 2000 with another bank, and can't find any trace of the cheque being paid in. And this is the only account he would've used. He wants Santander to tell him what's happened to the cheque and to pay him the balance it owes him.

The adjudicator didn't recommend his complaint should be upheld. He said that banks allowed customers to withdraw money from passbook accounts without the transaction being recorded so long as there were satisfactory security checks. And banks are not obliged to keep records for more than six years so he couldn't find the bank had a responsibility to track the cheque. He thought it was more likely than not the cheque was deposited by Mr H or some other authorised party. And he thought it likely Mr H had forgotten this due to the passage of time.

Mr H wasn't satisfied with this. He said he didn't withdraw the money from the account. He knew nothing about another account being opened. He objected to the reference the adjudicator made to a third party being involved in his financial dealings. And he was upset that the adjudicator suggested he'd forgotten about this due to the passage of time.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Mr H says he didn't withdraw the money from his account. Santander says it sent him a cheque for the balance. In those circumstances I have to decide what is more likely to have happened. Unfortunately due to the length of time that's elapsed, the bank can't give Mr H or us any more information. And because banks are not expected to keep records indefinitely I can't say Santander is at fault for not being able to do this.

In response to Mr H's concern that he didn't know anything about the other account, the bank said his passbook account would've matured at a particular time. Four to six weeks before this happened, the bank would've written to him informing him of his options. Once the account had matured it would've been automatically transferred to another account and he would've had six months to reinvest it. So it wasn't unusual for a customer to withdraw the funds so soon after maturity. And because it was opened automatically on the maturity of the passbook account and closed two days later I can understand why Mr H doesn't have any recollection of this other account.

I can appreciate why Mr H was upset by the suggestion he had forgotten this. But Mr H told us he had forgotten about the existence of this account until his wife found the old passbook. So it isn't unreasonable to conclude that, due to the fact the cheque was sent out nearly 13 years ago, he didn't have any recollection of the circumstances of the account closure.

I haven't any doubt Mr H has brought this complaint in good faith. And in the honest belief Santander still owes him the balance in the passbook. But I don't have enough evidence to make that finding.

my final decision

My decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 20 February 2017.

Linda Freestone
ombudsman