

## **complaint**

Mrs T complains that Bank of Scotland plc, trading as Halifax, will not repay her the balance of her savings account, which is showing in her passbook.

## **background**

Mrs T opened a Moneycard account in 1992. She has a passbook which shows that, in April 1993, her account had a balance of over £700 and it does not indicate that the money was withdrawn. Mrs T has said that she didn't close it.

The adjudicator didn't recommend that the complaint should be upheld. He concluded that it was mostly likely that the account had closed sometime between 1993 and 1995 because all open accounts, whether dormant, inactive or not, were migrated onto a new system then.

Mrs T responded to say that she couldn't have closed the account because she still has the passbook and there was no local branch. The bank hasn't provided any evidence to show she had.

## **my findings**

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

Where there is a dispute about what happened, I have based my decision on the balance of probabilities – in other words, on what I consider is most likely to have happened in the light of the evidence.

I understand Mrs T's concerns. She has a passbook which shows that in 1993 her account had a balance of more than £700. She is quite clear that after she told the building society about her change of address in 1993, as there was no local branch to her, she wasn't able to have the address updated in the passbook. And so she couldn't have withdrawn the balance for the same reason. She says that she had no further contact at all but simply forgot about the account so this means that the account must still be open. But, the fact that Mrs T still holds a passbook is not enough in itself to show the account still exists.

I am satisfied that Halifax has thoroughly searched all its records and done everything it can to try and trace the account. It has done this by name, old and new address information, number and branch. So, if the account was still active, it would appear in its records and it should be possible to locate it.

Banks and building societies don't generally prevent their customers from withdrawing their money or transferring it to another account providing that the customer can verify their identity to the bank's satisfaction. So I consider it's possible that Mrs T closed the account by post, without the need to return the passbook. Furthermore, the building society that Mrs T held the account with was merged with Halifax in 1995 and Mrs T says that she wasn't aware of this until she came across the passbook recently. After very careful consideration, and on balance, I think that it is more likely than not that the account was closed at some point before the merger in circumstances that, with the passage of time, Mrs T can no longer recall. I say this because Mrs T says that she didn't receive any contact from the building society prior to its merger with Halifax, or after, when I would have expected Halifax to have provided her with its own roll number for the account.

For the reasons I have explained, I'm not persuaded that Halifax should be required to pay the money represented by the last passbook entry in the account. I appreciate that Mrs T would like to know, with certainty, what happened to the money and that she considers Halifax should be able to produce records to show what happened to the account. But, banks aren't required to keep records for more than six years, so there is no failing on Halifax's part in being unable to provide such evidence.

**my final decision**

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

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs T to accept or reject my decision before 16 May 2016.

Karen Wharton  
**ombudsman**