

complaint

As the executor for the estate of Mr W, Mrs K complains that Bank of Scotland plc, trading as Halifax, can't find the details of her late husband's life assurance policy. She gave it the original papers when he passed away but it didn't return these to her and now can't find them.

background

When the late Mr W passed away, Mrs K gave Halifax the probate documents and life assurance details for him. But she didn't hear anything from it about the life assurance.

Mrs K complained but Halifax said it couldn't find any details of a life assurance policy held by the late Mr W. It had paid out a sum of money from a type of payment protection insurance that the late Mr W had, but it had no information to show that he had a life assurance policy through it.

Our adjudicator didn't think Mrs K's complaint should be upheld. Halifax had searched all the records from the different businesses within its group and checked with a separate provider that used to provide its life assurance policies. But there were no records of the late Mr W either holding or applying for a life assurance policy. The adjudicator said that, if the late Mr W had a policy, it may have been lapsed or surrendered more than six years before and so no information about it would've been kept.

Mrs K didn't accept the adjudicator's findings. She doesn't understand why the life assurance policy can't be found.

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'm sorry for Mrs K's difficult situation. I appreciate it will be frustrating not to be able to find the details of the life assurance policy she believed her late husband had in place for their mortgage.

I'm satisfied that Halifax has tried to find the details of a policy for the late Mr W. Different representatives have completed a number of searches to look for a policy without being able to find a record of one.

Mrs K took all of the late Mr W's relevant paperwork to Halifax when he passed away. It's unfortunate if some of these original documents were then lost or not returned to Mrs K. But I can't say with any certainty that this means that the late Mr W had a life assurance policy through Halifax. There is no policy reference or number for it to look at, and no records of him making payments to such a policy to be able to trace it. I think if he did have a policy that was in place when he passed away, then there would be other records to show this.

my final decision

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

Under the rules of the Financial Ombudsman Service, I am required to ask Mrs K as executor of the estate of Mr W to accept or reject my decision before 5 November 2015.

Cathy Bovan
ombudsman