

The complaint

Mr I complains that HSBC UK Bank Plc has been unable to provide evidence to show an accurate balance of an old account.

What happened

Mr I had an account with another business that was subsequently taken over by HSBC. Mr I has provided a withdrawal slip that shows he took out £1,000 on 15 November 2000. Mr I has explained that he later left the UK and moved abroad.

Last year, Mr I contacted HSBC to find out what had happened to his account and the remaining funds. HSBC investigated and advised Mr I's account had £8.25 when it was closed in 2004. Barclays gave instructions setting out how Mr I could retrieve the £8.25 by visiting a branch.

Mr I referred the matter to this service and it was passed to an investigator. The investigator thought HSBC had made reasonable efforts to try and trace Mr I's funds and said it's not obliged to retain documents like statements indefinitely. As a result, there was little information available to show how the final balance of £8.25 had been reached.

Mr I asked to appeal and said they'd have expected HSBC to retain account information like statements from the time. As Mr I asked to appeal, his complaint has been passed to me to make a decision.

What I've decided – and why

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

I understand why Mr I finds the lack of statement evidence frustrating. But banks aren't required to retain information indefinitely and are obliged to delete data historic data in certain circumstances. Here, HSBC has provided details of its information retention policy to the Financial Ombudsman Service. I can't share the specifics of HSBC's data retention policies as they're commercially sensitive, but I'm satisfied HSBC isn't required to retain detailed account statements from 2000, around the last time Mr I used his account.

That means the information available to us is limited. What we do have is a copy of Mr I's withdrawal slip which confirms he took out £1,000 in November 2000. The withdrawal slip gives Mr I's sort code and account number. HSBC has been able to supply a screen print from its systems that shows Mr I's account was closed on 9 March 2004 and that £8.25 was placed into a holding account.

Where information is incomplete or disputed, I'll base my decision on the balance of probabilities. That is, what I consider to be most likely based on all the available information and evidence. Here, HSBC has provided systems evidence that shows Mr I's account was closed in March 2004 and that it had a balance of £8.25 at that time. So I think it's more

likely than not that Mr I's account had a balance of £8.25 on 9 March 2004 when it was closed.

In response to the investigator, Mr I mentioned timescales for dormant accounts. I'd like to explain that businesses are free to review accounts to assess whether they're dormant or not. If an account is closed as being dormant, the funds are then placed into a holding account so the customer can reclaim them at a later date. If the money isn't ultimately claimed it can be paid into a fund. But here, Mr I's money remained in HSBC's holding account until last year when it provided instructions on how to retrieve it. If he hasn't done so already, I leave it to Mr I to decide whether he wishes to reclaim his funds in line with HSBC's instructions.

I'm sorry to disappoint Mr I but I'm satisfied HSBC has correctly told him it doesn't have to retain information like account statements indefinitely. I'm satisfied HSBC doesn't have statements going back to either 2000 or the point it closed Mr I's account. I'm also satisfied, on balance, that the systems evidence provided by HSBC shows Mr I's account had a balance of £8.25 when it was closed in March 2004. I'm sorry to disappoint Mr I but as I'm satisfied HSBC has dealt with his enquiries fairly I'm not telling it to do anything else.

My final decision

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

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr I to accept or reject my decision before 31 October 2023.

Marco Manente
Ombudsman