

The complaint

Mrs T, via her representative Mrs M, complains that Phoenix Life Limited hasn't paid out the proceeds of an investment she made in 1997.

What happened

In 2022 Mrs M was sorting through Mrs T's paperwork and found a passbook for a savings account with Britannia Building Society (now the Co-operative Bank) that in 1997 was worth around £600. She got in touch with the Co-operative, who were able to locate the savings account, and paid out the amount it held. They also told Mrs M that according to their records Mrs T opened a stocks and shares ISA in March 1997 and they didn't have records of it being closed. Mrs M later found a cheque stub showing a payment for £6,000, dated a few days before the ISA was opened.

The Co-operative said that though it would have been sold in a Britannia store, the ISA would have actually been provided by Alba Life, which was now Phoenix Life. So, Mrs M got in touch with Phoenix Life, but they didn't have any records of the account. They explained that ISAs sold by Britannia wouldn't have been provided by Alba Life but rather by Standard Life, part of Abrdn.

Mrs M was unhappy with this as the Co-operative had told her it would be held by Phoenix Life, so she made a complaint. Phoenix Life was still unable to find any records of investments in Mrs T's name, and so didn't uphold the complaint. As Mrs M remained unhappy, she brought the complaint to our service. When doing so, Mrs M explained she remembered Mrs T taking out a Guaranteed Equity Bond (GEB) and thought that was likely to be the same product as the ISA.

An investigator looked into the complaint and found that Phoenix Life had done nothing wrong. She said there was no evidence that they had taken over any accounts for Mrs T specifically, or the stocks and shares ISA product more generally. Mrs M didn't accept the investigator's opinion because she felt Mrs T deserved to be provided with some evidence of what happened to the investment. As a result, the complaint was passed to me for a decision.

I requested further information from Phoenix Life about whether they took over the GEB product from Britannia and they confirmed they did not, which our service has also explained to Mrs M.

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 need to consider whether Phoenix Life has treated Mrs T fairly and reasonably when looking for records of any account in her name. Having done so I agree with the conclusions the investigator reached, for largely the same reasons.

Phoenix Life has shared screenshots showing the searches they've completed of their system, using the account number provided by the Co-operative, and Mrs T's last name and postcode, all with no success. They've confirmed they've also searched using her date of birth, though they've not provided a screenshot of this.

In addition, they've provided details of the companies which have taken on responsibilities for the stocks and shares ISA products sold via the Co-operative. Phoenix Life has confirmed they have no products on their books called Guaranteed Equity Bonds.

Mrs M, on Mrs T's behalf, has no evidence that Mrs T had a relationship with Phoenix Life, other than the Co-operative having directed her to Phoenix Life. Based on everything I've seen, I think Phoenix Life has completed reasonable searches of their records to find any accounts in Mrs T's name. As none have been found, I think it's more likely than not that Phoenix Life were not the product provider for any investments in Mrs T's name.

I appreciate it's frustrating for Mrs M and Mrs T to not have confirmation about what happened to this ISA. However, I'm satisfied that Phoenix Life have no records of it (or any other accounts in Mrs T's name), and that they haven't done anything wrong here.

My final decision

My final decision is that I don't uphold this complaint, for the reasons set out above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs T to accept or reject my decision before 24 August 2023.

Katie Haywood
Ombudsman