

The complaint

Mr L has complained that TSB Bank Plc didn't credit his bank account with £200 that he says he deposited in branch.

Mr L is being represented by Mr A. But for ease, I'll refer to Mr L throughout this decision.

What happened

Both sides are familiar with the case, so I'll summarise things in brief.

On 13 December 2022 Mr L says he deposited £200 at a counter of a TSB branch.

In January 2023, Mr L contacted TSB after noticing the £200 missing from his bank statement. TSB said there was no evidence of the deposit being made and no errors in the account balances at the branch in question. It said Mr L had made a cash withdrawal of £100 on 13 December 2022, but no deposits, and that this was supported by CCTV evidence from the branch. TSB accepted it had delayed investigating Mr L's case and paid him £35 in recognition of that delay.

Mr L maintained he had made the £200 deposit. He said the information he had received from TSB as part of its investigation, specifically in relation to CCTV footage, was inconsistent. He wanted TSB to credit him the £200 as well as compensation for the distress and inconvenience the situation had caused him.

Our Investigator looked into things and didn't uphold the complaint. Mr L didn't agree, so the complaint has been passed to me to decide.

Mr L said TSB had relied on testimonies, not evidence that the deposit wasn't made – particularly in relation to the CCTV footage and TSB's claim there were no account balance errors. He also felt TSB was withholding evidence.

Mr L also questioned why he would've made false allegations to TSB about depositing the £200 given he had a healthy account balance.

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.

Having done so, I've reached the same outcome as our Investigator – and for largely the same reasons. I realise this will be very disappointing for Mr L and I'd like to assure him I haven't taken this decision lightly.

In doing so, I've very carefully considered all the evidence provided and I'd like to assure Mr L that if I don't mention a particular point, it's not because I haven't considered it, but I've focussed instead on what I believe to be important to the outcome of this complaint.

I appreciate Mr L's strength of feeling – and I don't underestimate the significance of the £200 to him. But I need to look at things objectively. Essentially, I can only tell TSB to credit the disputed £200 if the evidence supports that it was deposited by Mr L.

Mr L has explained to us that he visited the branch on 13 December 2022 with his granddaughter to deposit the cash – but that he attended the counter alone. So, unfortunately, there's no one who can corroborate Mr L's version of events.

I've seen a copy of Mr L's bank statement from December 2022 and there is no reference to a deposit being made for £200 on 13 December 2022. Nor is there any reference to such a deposit prior to, or shortly after, the 13 December 2022. Mr L has also told us he didn't receive a receipt for the deposit. So, there isn't any documentary evidence of the £200 deposit having been made.

I can also see from the bank statement that Mr L made a withdrawal for £100 on 13 December 2022 – and this supports the CCTV evidence referred to by TSB showing Mr L being given cash, not handing it over, whilst at the branch counter. Unfortunately, the CCTV footage is no longer available, so I'm unable to fully substantiate what it showed. But I can see the £100 withdrawal is evident from TSB's internal records.

I can also see from those records that Mr L made two further cash withdrawals, each for £100, via ATMs on 29 December 2022 and 16 January 2023. Those withdrawals are correctly showing on Mr L's bank statements. In addition, TSB has also confirmed there were no discrepancies in the branch's end of day or end of year cash balance and has provided evidence to support that. This all suggests to me that there's been no obvious banking error here.

I appreciate the points Mr L has made about being given conflicting information by TSB about the CCTV footage. But as the footage is no longer available, I'm unable to fully substantiate what that footage showed.

But the evidence I have seen, aside from the CCTV footage, strongly supports that Mr L didn't deposit £200 on 13 December 2022. So, I don't have a fair basis on which to tell TSB to credit the disputed £200. Nor can I ask TSB to compensate him for the distress and inconvenience caused when there is no evidence TSB has made a mistake in relation to the deposit.

This is a difficult message for me to give as I know how strongly Mr L feels about this matter. But given the evidence I have, and on the balance of probabilities, I'm unable to reasonably reach any other conclusion.

TSB accepts it took too long to investigate Mr L's concerns and provide him with an outcome. But it has paid him £35 to reflect that. I consider that to be a fair and reasonable level of compensation for the impact the delay had on Mr L, and in line with what I'd have awarded had TSB not made an offer.

Taking all the evidence into consideration, I don't think this is a case where it would be fair and reasonable for me to ask TSB to credit £200 to Mr L.

So, I'm not going to tell TSB to do anything further to resolve this complaint.

My final decision

For the reasons I've explained, I don't uphold Mr L's complaint in this case.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr L to accept or reject my decision **before 22 August 2023**.

Anna Jackson
Ombudsman