

The complaint

Mrs C complains that Bank of Scotland PLC trading as Halifax have mislaid a cheque for £10,000 she received.

What happened

Mrs C advises that, sometime in 2017 she received a cheque for £10,000 which she paid into her account at Bank of Scotland via the cash machine. But the money never reached her account and despite enquiring about it she says the cheque could not be found. She says that in 2019 she had a phone call from her local branch asking her to come into the bank as her cheque had been found. She says that, on attending the bank, she was asked to sign the cheque on the back and that she opted to take out a bond. She believes she signed all the necessary paperwork and was given some leaflets but when she got home she did not have a receipt for the cheque. She didn't receive the bond and, due to illness was unable to chase the matter up. The branch closed in 2019. Unfortunately she is unable to recall who the cheque was from or what the funds related to.

Bank of Scotland says it can't trace any cheque in her name deposited in any account or investment product Mrs C had with it. It has reviewed and provided copies of her bank statements going back to 2013 and details of all accounts and investments she has, or has had with it. It said it wouldn't be able to cash the cheque into another account as it was in her name. However if she was able to remember name of the payer of the cheque it should be possible to trace it and, if it has not been paid in, for a replacement cheque to be provided.

On referral to the Financial Ombudsman Service, our Adjudicator said that there was not enough information about the cheque to ask Bank of Scotland to do anything further.

Mrs C did not agree and the matter has been passed to me for further consideration.

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.

It's very difficult, especially considering the length of time since Mrs C says she deposited the cheque, to know exactly what happened. She says that the cheque went missing for two years and then was told it had been found. If she went into the bank it's quite possible that she would have been asked to sign the cheque on the back. However Bank of Scotland has shown us a list of the accounts and investments that Mrs C has held with it over the years. There is no indication that any such account or investment was opened around the time that

Mrs C says she attended the bank.

Mrs C has indicated that it's possible that the cheque related to an investment maturing. She did have a three-year monthly saver investment account which had an initial investment of £20,000 in 2010. She received monthly payments of interest and then in March 2013 £10,000 was transferred to her current account. The investment account was closed in January 2015 and £9,833 was transferred to her current account at that stage. The full £10,000 was not transferred because a withdrawal fee was deducted. Mrs C however says that she received the cheque in 2017 and that the bank said that it found the cheque in 2019. But again considering the length of time since this happened she can't be sure of the dates or the years. The two amounts that were transferred from her investment account appeared to be straight transfers rather than cheques being issued from the bank and being paid into her account. So, based on Mrs C's evidence, it seems unlikely that the cheque related to that particular investment account.

I should say that our investigations are largely based on documentary evidence. We don't have the power to interview witnesses or to carry out investigations into the bank's general procedures. So, regrettably, and I know this will be disappointing for Mrs C, there is simply not enough information available to show that the bank made an error or lost her cheque. I'm mindful that the branch where this happened closed in 2019. If she was able to recall the name of the payer or where the funds came from, it would be possible to find out if the cheque had been paid in. If it had, it should be possible to trace into what account or investment product it had been paid into. And if it hadn't then it may be possible to issue a new cheque.

Mrs C has subsequently told us that she was informed that the branch in question had lots of problems. But I am mindful that her evidence about the cheque is largely based on her recollections from 2017 and 2019 which she was unfortunately not able to chase up until she made her complaint to the Financial Ombudsman Service.

My final decision

I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs C to accept or reject my decision before 10 November 2023.

Ray Lawley
Ombudsman