

## **The complaint**

Mr B complains that Bank of Scotland plc trading as Halifax allowed a withdrawal which wasn't made by him when he misplaced his passbook.

## **What happened**

Mr B says that money was taken from his account without his knowledge when he had misplaced his passbook. Mr B made a complaint to Halifax.

Halifax did not uphold Mr B's complaint. They said Mr B's concerns relate to a debit of £2,500 from his account on 1 September 2017, as he's disputed making this withdrawal from this account. Halifax said they do allow their customers to make a withdrawal from a passbook account without the passbook being present. In these circumstances, they need to verify their customer. They said the branch has explained they've not been able to locate a completed withdrawal voucher for this transaction.

Halifax said the branch manager has explained it's likely that Mr B was verified through his debit card on another account he held with Halifax. They said the withdrawal for £2,500 was processed on 1 September 2017 at their branch at 16:03pm by a cashier. The funds weren't transferred to any other accounts Mr B held with them. They said therefore, it's likely this would've been a cash withdrawal. Halifax said Mr B had made two withdrawals of £2,500 each from another account he held with them on 13 and 18 September 2017, so they felt it was reasonable Mr B had visited their branch to make withdrawals from his accounts. Mr B brought his complaint to our service.

Our investigator did not uphold Mr B's complaint. She said Halifax have confirmed that their data retention period is six years, so whilst they have been able to pull a transaction list for the account, they wouldn't be able to find branch journals including branch notes or withdrawal vouchers for example from 2017 as this was over six years ago. She said she feels it was likely the withdrawal was made by Mr B as it was made at his regular branch, close to his home address.

Our investigator noted withdrawals for the same amount were made around the same time in September 2017 on another of Mr B's accounts, so the withdrawal was in line with other account activity, and he was frequenting the branch around that time.

Mr B asked for an ombudsman to review his complaint. He made a number of points. In summary, he said he disputes he took anything out of the other account he held with Halifax, and he only used the current account at the time. Mr B said he never withdrew anything from the passbook.

## **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.

Mr B has made a number of points to this service, and I've considered and read everything

he's said and sent us. But, in line with this service's role as a quick and informal body I'll be focusing on the crux of his complaint in deciding what's fair and reasonable here.

I have thought about what I would expect Halifax to do in these circumstances and if they have treated Mr B fairly in their investigation and I think they have. They took the available information from him and conducted a search of their systems, this showed £2,500 had debited the account on 1 September 2017. But due to the time that's passed, Halifax aren't able to provide any more information about this transaction. As this date was over six years ago, I can't say it's unreasonable that Halifax does not have any further information about this transaction.

But I do note that Halifax have shown that on another of Mr B's accounts he held with them, that similar withdrawals of £2,500 were made on another account in his name on 13 and 18 September 2017. These were made in a branch, and not long after the debit of £2,500 on the account in question on 1 September 2017. So on the balance of probabilities, I'm persuaded that Mr B must have been present in the branch to make these withdrawals, even though he disputes withdrawing from any account apart from his current account. As the withdrawals were made in branch, it's likely identification would have been needed for this.

Halifax have confirmed that a passbook is not needed to make a withdrawal from a passbook account. It's been suggested by the branch manager that Mr B was verified at the branch with his Chip and Personal Identification Number (PIN) card since he had misplaced his passbook. So that could be how Mr B was able to make a withdrawal without the passbook by verifying himself this way. But I'm unable to conclude that Mr B did not make the withdrawal, so it follows that I don't require Halifax to do anything further.

### **My final decision**

I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 25 June 2024.

Gregory Sloanes  
**Ombudsman**