

The complaint

Mr B complains that Hargreaves Lansdown Asset Management Limited ('HLAM') caused delays in transferring his Stocks and Shares ISA ('ISA') causing him financial loss.

What happened

The details of this complaint are well known to both parties, so I won't repeat them again here. The facts are not in dispute, so I'll focus on giving the reasons for my decision. Below, I have highlighted some key dates I think are relevant to the complaint:

- 22 October 2020: HLAM receive a request to transfer Mr B's ISA to another provider.
- 19 November 2020: Mr B complains about the delay.
- 17 December 2020: HLAM confirm the transfer is being processed and '*in-specie*' transfers usually take six weeks.
- 26 January 2021: The transfer completes.

HLAM has paid Mr B £100 for what happened. Our investigator recommended HLAM pay Mr B a further £100 for its mistake. However, Mr B is seeking an increased amount of compensation. As an agreement couldn't be reached the matter has been passed to me for 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.

Having done so, I broadly agree with the conclusion reached by our investigator for the following reasons:

- All parties agree that there was a delay in transferring Mr B's ISA to another provider. When a business has delayed a transfer I firstly need to consider if there was any financial impact. Mr B wanted to transfer his ISA funds '*in specie*', which due to the nature of the transfer can typically take longer.

But I've thought about the timescales HLAM gave Mr B. On 17 December 2020, it told Mr B that the process would take around six weeks. Following this, I can see the transfer did complete within six weeks of the December date but by this point, the transfer was into its eighth week.

- HLAM has said that the delay was due to high business volumes which led to an increase in the processing time. So, whilst I understand the reasons for the delays, I still need to consider the impact on Mr B. I think HLAM could've transferred Mr B's funds much quicker than it did and therefore, I've considered whether he suffered any financial loss because of HLAM's delays.

- Mr B's funds were transferred '*in-specie*' which meant that he wasn't out of the market whilst the transfer process was taking place. I don't dispute that Mr B wanted his new provider to actively manage his fund. And I can see that once the transfer was complete Mr B's fund was sold over time. From January 2021 to June 2021, there were various disposals and purchases through Mr B's account with his new provider. But I don't think this sufficiently demonstrates that Mr B was always intending to buy or sell specific investments once the transfer was completed.
- On balance, I think the evidence supports that Mr B had no specific intention to buy or sell immediately on transfer. I think it's more likely than not that this was decided by the new provider based on an evaluation of Mr B's holdings at any particular point in time. Under these circumstances, I can't fairly say that Mr B lost out on any specific opportunity as a result of HLAM's mistakes. So, I won't be asking it to compensate Mr B for any financial loss he says he's made.
- Nonetheless, I accept HLAM could've carried out the transfer more quickly. It didn't communicate effectively with Mr B to manage his expectations about how long a transfer of this type could take. When it did tell Mr B it could take up to six weeks, the transfer had already taken eight weeks.

Putting things right

- HLAM has already paid Mr B £100 compensation. But I agree with our investigator's recommended award of an additional £100 for the distress and inconvenience, bringing the total compensation amount to £200 for the mistakes made by HLAM.

For all these reasons, I'm upholding the complaint and I'm awarding compensation as set out above.

My final decision

I order Hargreaves Lansdown Asset Management Limited to pay Mr B a further £100 for the distress and inconvenience it caused which is in addition to the £100 it has already paid him.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 25 May 2022.

Rajvinder Pnaiser
Ombudsman