

The complaint

Mrs B complains that Hargreaves Lansdown Asset Management Limited ('HLAM') caused delays in transferring her Stocks and Shares ISA ('ISA') and Fund & Share ('F&S') account, causing her 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 the request to transfer Mrs B's ISA and F&S account to another provider.
- 19 November 2020: HLAM receive a complaint about the delay.
- 17 December 2020: HLAM confirm the transfer is being processed and '*in-specie*' transfers usually take six weeks.
- 14 January 2021: ISA transfer completes.
- 19 January 2021: F&S account transfer completes.

HLAM has paid Mrs B £150 for what happened. Our investigator recommended HLAM pay Mrs B a further £50 for its mistake. However, Mrs 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 Mrs B's ISA and F&S account to another provider. When a business has delayed a transfer I firstly need to consider if there was any financial impact. Mrs B wanted to transfer her funds held in both accounts, '*in specie*'. Due to the nature of the transfer these can typically take longer.

But I've thought about the timescales HLAM gave Mrs B. On 17 December 2020, it told Mrs 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 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 Mrs B. I think HLAM could've transferred Mrs B's funds much quicker than it did and therefore, I've considered whether she suffered any financial loss because of HLAM's delays.
- Mrs B's funds were transferred '*in-specie*' which meant that she wasn't out of the market whilst the transfer process was taking place. I don't dispute that Mrs B wanted her new provider to actively manage her funds. And I can see that once the transfer was complete Mrs B's funds were sold over time.

From January 2021 to June 2021, there were various disposals and purchases through Mrs B's account with her new provider. But I don't think this sufficiently demonstrates that Mrs B was always intending to buy or sell specific investments once the transfer was completed.

- On balance, I think the evidence supports that Mrs 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 Mrs B's holdings at any particular point in time.

Under these circumstances, I can't fairly say that Mrs B lost out on any specific opportunity as a result of HLAM's mistakes. So, I won't be asking it to compensate Mrs B for any financial loss she says she's made.

- Nonetheless, I accept HLAM could've carried out the transfer more quickly. It didn't communicate effectively with Mrs B to manage her expectations about how long a transfer of this type could take. When it did tell Mrs B it could take up to six weeks, the transfer had already taken eight weeks.

Putting things right

- HLAM has already paid Mrs B £150 compensation but I agree with the recommended award of an additional £50 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 Mrs B a further £50 for the distress and inconvenience it caused in addition to the £150 it has already paid her.

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

Rajvinder Pnaiser
Ombudsman