

The complaint

Ms C has complained about how ITI Capital Limited (“ITI Capital”) administered her investment account.

What happened

Ms C says the service ITI Capital provided was poor, including poor data security, delay and errors with dividends, statements not being sent and ITI Capital not providing updates or responding to requests for these. Ms C also says ITI Capital took too long to transfer her holdings to another provider and didn’t close her account as it should’ve done.

ITI Capital replied to Ms C’s complaint and accepted it delayed Ms C’s transfer and offered her £150 for this. Ms C wasn’t satisfied that this addressed all her issues.

Our investigator considered the complaint. Our investigator thought, in brief:

- The transfer was requested in early August 2020 and didn’t complete until in December. As transfers like this should take no longer than 30 days, this one took too long.
- The delay of three and a half months didn’t cause financial loss but did cause Ms C concern as well as the inconvenience of having to chase things up. ITI Capital should compensate her for the distress and inconvenience caused.
- Dividends paid on 24 September 2020 by a company I’ll call “A” and on 16 October 2020 by a company I’ll call “F” were instead paid to Ms C only on 15 October 2020 and 5 November 2020 respectively. So ITI Capital should pay Ms C simple interest on the dividend sums for the period in between at the rate of 8% per year.
- ITI Capital had to verify Ms C’s details and was entitled to do so in the way that it did despite her data security concerns. But ITI Capital should’ve responded better to the emails Ms C sent raising her issues. Had it done so, it would’ve decreased her worry in the months she was waiting. In failing to respond as well as it should, ITI Capital caused Ms C more frustration.
- ITI Capital failed to close Ms C’s account as it should’ve in response to her request. So it should now close her account.
- ITI Capital should refund to Ms C, with simple interest at a rate of 8% per year from the date charged until the date repaid, any charges made on her account since the date her account should’ve closed, which is 1 September 2020.
- Ms C had kept other records to use for her tax returns and so hadn’t lost out from not getting statements from ITI Capital and she hadn’t requested tax certificates in the way she needed to. So ITI Capital shouldn’t compensate her for not sending such certificates to her. But ITI Capital should now send Ms C a statement / tax certificate for her holdings prior to the transfer.

ITI Capital did not respond to the investigator's findings. Ms C did not raise any objections or further points in response to the investigator's findings.

As ITI Capital did not reply, the matter could not be resolved informally. So it has been passed to me to decide.

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, and in the absence of persuasive arguments to the contrary, I've arrived at the same conclusions as our investigator and for broadly the same reasons.

In brief summary, ITI Capital didn't give Ms C the service it should have. Whether or not its process for gathering information was reasonable, its failure to reply to Ms C's concerns added to and prolonged those concerns. The transfer took longer than it should. The payment of dividends was delayed. ITI Capital's responses and updates to Ms C weren't as they should have been. Notably it failed to respond properly to her email enquiries, leaving many unanswered - causing inconvenience and concern.

So I uphold Ms C's complaint and I think ITI Capital should put things right.

Putting things right

I've had nothing from Ms C or ITI Capital to suggest that what our investigator suggested wouldn't be fair and reasonable redress in the particular circumstances here.

With that in mind, and taking everything into account, I conclude ITI Capital Limited should:

- Pay Ms C simple interest at the rate of 8% per year on the dividends from company A for the period between 24 September 2020 and 15 October 2020 and from company F for the period between 16 October 2020 and 5 November 2020.
- Refund to Ms C any charges made on her account since 1 September 2020, which is the date her account should've closed, with simple interest at a rate of 8% per year from the date of each charge until the date of my decision.
- Send Ms C a statement and tax certificate covering the period before the transfer.
- Pay Ms C £350 for the distress and inconvenience it caused her by its failings.
- Close Ms C's ITI Capital account and provide her with written confirmation that it has done so within one month of receiving her acceptance of my decision.

If any sum above isn't paid to Ms C within one month of ITI Capital Limited receiving from us notification of Ms C's acceptance of my decision, ITI Capital Limited should also pay Ms C simple interest on any outstanding sum at the rate of 8% per year from the date of my decision until the date ITI Capital Limited pays Ms C the relevant amount.

My final decision

For the reasons I've given, and in light of all I've said above, I uphold Ms C's complaint and order ITI Capital Limited to put things right in the way I've explained.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms C to accept or reject my decision before 12 September 2022.

Richard Sheridan
Ombudsman