

## The complaint

Miss G complains about the service she received from Hargreaves Lansdown Asset Management Limited (referred to as “HL”).

Miss G requested HL to send her correspondence digitally (as well as in the post) which HL ignored, even after she told them she was neurodiverse and has some processing issues.

To make things right, she would like HL to acknowledge her individual needs and send her correspondence both digitally and by post.

## What happened

One of our investigators considered the complaint but didn't think it should be upheld. In summary, he said:

- Having considered the complaint, he can't say that HL behaved unreasonably.
- A copy of its terms and conditions state: “We will contact you by post, email or via our secure message center”.
- HL is not required to provide correspondence by both email and post, so hasn't done anything wrong by not doing this.
- HL's systems also don't allow customers to choose more than one method of communication. So, HL hasn't done anything wrong by not providing a service that it is unable to provide.
- The only way around it is if Miss G calls the help desk and requests digital copies, on a case-by-case basis.
- If Miss G is concerned about receiving documents in the post, she can choose to receive messages digitally.

Miss G disagreed with the investigator's view and asked for an ombudsman's decision.

At my request, the investigator asked Miss G questions about her neurodiversity to better understand her adjustment needs.

The investigator asked Miss G what about her neurodiversity requires HL to provide correspondence both digitally and in the post. Miss G provided the following response:

*“I like things in a tangible format not digitally , it's easier to understand , to process, to write on to make a note neurodiverse people don't like change , so we prefer pen and paper a newspaper , a CD to avoid technology that has superseded us , it's too much , I spend days in bed after dealing with AI on a phone, the whole process sends me into a meltdown of frustration (sic) and sadness.*

*As I'm not an expert I don't know the reason it's just the way my brain works but as previously explained the digital as well means that in quick response cases as I can be away for 10 days at a time is really good when HL send info that needs a really quick response or if it gets lost in the post nobody's fault but as I said digital is not my preference I just want it to safeguard my preference which is paper based communications. I'm asking for both to*

*protect and safeguard the letter not been (sic) received and or in enough time to respond Thank you for your assistance”.*

Miss G also said that we could contact her doctor or therapist if we wanted to know more.

As no agreement had been reached, the matter was passed to me for review.

On 27 March 2025, I issued my provisional decision, a copy of which is stated below and forms part of my final decision. In the decision I said:

*“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, subject to any further submissions, provisionally I’m going to uphold this complaint.*

*On the face of the evidence, and on balance, despite what HL says, I’m unable to safely say that it behaved reasonably.*

*But before I explain why, I’d like to thank the parties for their considerable patience, whilst this matter has awaited an ombudsman’s decision, due to the current demand for our service.*

*I also recognise Miss G’s strength of feeling about this matter. She has provided submissions to support the complaint, which I’ve read and considered carefully. However, I hope she, and HL, won’t take the fact my findings focus on what I consider to be the central issues, and not in as much detail, as a discourtesy.*

*My role is to consider the evidence presented by Miss G and HL, and reach what I think is an independent, fair, and reasonable decision based on the facts of the case.*

*I provisionally uphold this complaint, in summary, for the following reasons:*

- *According to its standard terms and conditions, HL can contact its customers by post, email, or secure message centre. It is therefore up to the customer to choose which method of communication they would like.*
- *I understand that Miss G has chosen the postal option because she likes things in a tangible format, and it is easier for her to deal with because of her neurodiversity.*
- *However, I note that Miss G is very concerned about missing something important in the post that might require a quick response from her. This is because she is away from her home (a lot) and is also concerned about lost letters.*
- *I appreciate an option could be for Miss G to elect digital correspondence as a permanent option and ask HL for letters in the post on an ad-hoc basis, and/or just have access to the platform – but in this instance, and on balance, I don’t think either is a reasonable solution for her.*
- *Miss G has made clear that she doesn’t like things digitally, and paper copies allow her to understand and process the information. So, given her neurodiversity, I don’t think expecting her to only deal with correspondence digitally is fair or reasonable. I’m mindful of the impact this can have on Miss G, as described by her in response to my query.*
- *I’ve also thought about whether Miss G can get herself a printer and print out documents that she wants to consider further, but I don’t think it’s a fair expectation in the circumstances.*
- *I think Miss G should be able to access services in the same way as other customers*

- and not be at a disadvantage given her condition.*
- Based on what Miss G says, I think it is more likely (than not) her neurodiversity materially impacts her ability to use the existing communication options effectively.*
- I appreciate that HL has processes and procedures in place that don't currently allow it to offer multiple options of communication. However, under the Equality Act 2010 HL is required to make "reasonable adjustments" for individuals with disabilities, including neurodiversity, to ensure fair access to its services.*
- In the circumstances, and on balance, I think HL should continue to provide Miss G with correspondence in the post (as selected by her) but it should also manually add her to the digital mailing list so that she can also receive correspondence via email.*
- Unless this suggestion – providing both written and digital correspondence – imposes a significant practical or financial difficulty, which I don't believe it does, this is what HL should to put things right."*

I gave the parties an opportunity to respond to my provisional decision and provide any further submissions they wished me to consider before I considered my final decision, if appropriate to do so.

Miss G responded and accepted my provisional decision. She said: *"Many thanks for the update , seems to have been a long journey to get to a positive result , really appreciate the efforts from your service to consider the matter."*

HL also responded but didn't accept my provisional decision. In summary, it said:

- It's not possible to send Miss G both postal and paperless communications simultaneously, and it would impose significant practical and financial difficulty.
- Its system doesn't have capability to record clients against two different communication methods. And this can't be bypassed manually – its IT staff have confirmed it's not possible.
- Preferences (in terms of paper/paperless) is determined by a "fixed code" on a client's record. This can't be bypassed, or amended and HL is obligated to work within its limitations.
- Manual workaround isn't feasible or practical. There's no means by which every team or software across the business can be informed of Miss G's needs. Such software doesn't exist, and there's no flag that could be attached which would identify that Miss G has those communications needs.
- HL also uses third parties to send some of its communications, and it wouldn't be possible to identify Miss G as a client who requires communications to be sent via both methods.
- The ombudsman's suggestion will result in a poor outcome for Miss G, because it can't do what has been asked.
- The workaround it has offered Miss G is that it sends all communications by "secure message" so that they reach her promptly, and that she contacts its Helpdesk, either by phone, post, or secure message to manually request this by post. This is the most effective and reliable adjustment it can offer.

In response to HL, I made the following comments:

- I wasn't asking HL to change its system therefore I wasn't asking it to do something that was likely to have a significant practical or financial impact.
- I'm not persuaded that HL's proposal (to respond to ad hoc requests by Miss G) amounts to a "reasonable adjustment" for the purposes of the Equality Act 2010.
- It's likely that any customer making such a reasonable (and ad hoc request) is likely to receive documents in the post.

- If HL can provide Miss G with correspondence in the post (in response to her calling the Helpdesk), I think it can do so via some other alert system – without Miss G having to call her and/or it changing its entire system.

### **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, in light of Miss G accepting my provisional decision, and no new *material* points from HL, my decision to uphold this complaint remains the same, principally for the same reasons, as set out in my provisional decision.

In other words, despite being given further time and opportunity to respond to my provisional decision, I'm satisfied that no new material points have been made that persuade me I should change my decision.

Despite what HL says, for the reasons set out above (in the background section of this final decision) I still think it can and should provide Miss G with correspondence digitally or via secure message, and via the post.

In the circumstances, and on balance, I don't think what I'm asking HL to do for Miss G, who has more than one type of communications need, is unreasonable. I am not asking it to change its system or do anything that's likely to impose a significant financial or practical difficulty.

I think HL can and should put some measure in place that will ensure that it will send Miss G correspondence both digitally/secure message, and in the post in light of her neurodiversity and its obligations to make reasonable adjustments under the Equality Act 2010.

Whether this means she will have to select digital or secure message as a default option (rather than postal option as she currently has) – and HL will put in a marker that will send out letters in the post, so she doesn't have to call the Helpdesk on an ad hoc basis – is a matter between her and HL.

### **Putting things right**

To put things right, considering Miss G's neurodiversity, Hargreaves Lansdown Asset Management Limited should provide her with digital correspondence/secure message, as well as continuing to provide her with written correspondence in the post.

### **My final decision**

For the reasons set out above, and in my provisional decision, I uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss G to accept or reject my decision before 7 May 2025.

Dara Islam  
**Ombudsman**