

The complaint

Mr I complains about administrative issues caused by Evelyn Partners Investment Management LLP (Evelyn).

What happened

Mr I held a self-invested personal pension (SIPP) with a provider I'll refer to as A (I understand he may since have transferred it to another provider).

Evelyn manages the investments held within the SIPP and provided data to A. That data was used to calculate the value of the SIPP that was shown on A's online portal.

In December 2023, based on the value that was reflected on A's portal at the time, Mr I asked Evelyn to make a withdrawal of £42,000 (it seems he'd been thinking about making a similar withdrawal around July 2023, but subsequently asked Evelyn to pause it). Mr I explained that he wanted the payment to be made to coincide with the end of the tax year in his country of residence (he lives abroad). Evelyn made the payment on time.

However, around January 2024, Mr I contacted Evelyn as he'd noticed that the value of his SIPP had been fluctuating. He said that, at various points, it showed a difference of between about £8,000 and £10,000 compared to the amount he expected to still be in the SIPP. It appears that Evelyn's IT department had become aware of some issues around December 2023/January 2024 and had applied a temporary fix. That appears to have led to the fluctuating values Mr I could see.

In an email sent to Mr I in March 2024 Evelyn explained that there were two assets in the account that each fortnight (roughly) had duplicated, increasing the value of the SIPP as presented in the data going to A. So, it suggested that Mr I's SIPP was worth about £8,000 to £10,000 more than was the case. The increased amount was also visible to Mr I. Evelyn said it had identified the problem and corrected it.

As Mr I was unhappy – and indicated he wouldn't have withdrawn the amount of £42,000 had he known the true value – Evelyn escalated the issue internally. On further examination, it appeared that the problem had actually been happening since about March 2023, but because the composition of assets in Mr I's SIPP was different then, it seems the impact wasn't as obvious.

Evelyn responded to the complaint on 20 June 2024. It explained the background to what happened and the steps it had taken to fix the problem (according to Mr I's account, the problem continued until about 14 March 2024). Acknowledging that Mr I said he wouldn't have withdrawn £42,000 had he known the SIPP was worth about £8,000 less than he expected, Evelyn didn't think he'd suffered a financial loss. It pointed out that if Mr I hadn't taken £42,000 from his SIPP, he'd have needed to make the payment towards his mortgage using other funds or opted not to make the payment at all. So, it didn't think it was possible to determine the financial impact of these alternative scenarios. However, in recognition that Mr I suffered inconvenience, Evelyn offered to pay him £200 in compensation.

Mr I wasn't happy with Evelyn's response, so he complained to the Financial Ombudsman Service. His complaint was assigned to one of our Investigators to look into. The Investigator was satisfied that Evelyn had identified what caused the mistake and had since corrected it. She noted that, to put things right, Mr I expected Evelyn to at least pay some of the difference in value between what his SIPP was actually worth and what he thought it was worth according to the online portal. The Investigator didn't think that was a proportionate response to the complaint and she explained to Mr I that he was only entitled to the actual value of his SIPP. She said that, as she couldn't be sure Mr I would have taken a different course of action had he known the true value of his SIPP, she didn't think he'd suffered a financial loss. The Investigator felt the £200 compensation Evelyn offered fairly recognised the short-term impact Mr I suffered. So, she didn't think it needed to do anything more to put things right.

Mr I didn't feel that the Investigator had fairly recognised the way he'd been mistreated. Amongst other things, he said that it was he, not Evelyn, who first raised the accounting issue. Mr I also didn't feel that Evelyn had fairly recognised its responsibilities.

Our Investigator put further questions to Evelyn in light of Mr I's response. However, based on the additional information she received, she wasn't minded to change her opinion. Again, she felt that £200 was fair compensation.

In response to our Investigator's assessment, Mr I appeared to accept that there had been no direct financial loss. But he explained that Evelyn's mistakes and lack of communication (particularly in not telling him about the error) gave him no opportunity to consider making different financial decisions. He also pointed out that he'd been left with an amount of around 10% less than what he'd planned to have in his SIPP. Mr I felt that Evelyn should pay compensation for the inadequate way it had managed the issue.

As no agreement could be reached, the complaint was referred to an Ombudsman. 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.

Mr I has sent detailed comments in support of his complaint and in response to our Investigator's assessment. He was keen to ensure that I'd seen all of his comments. I can confirm that I have and I've considered those very carefully. But I won't be commenting on everything Mr I said. Instead, I'll focus on those comments that I believe go to the heart of his complaint and the reasons for my decision.

Mr I clearly feels wronged by Evelyn and doesn't believe it's taken responsibility for its actions. And he doesn't think it's acceptable that he should have to draw issues to Evelyn's attention rather than the other way around. Mr I engaged Evelyn to deliver a service. And I think it's reasonable, as a starting point, to expect that service to be delivered diligently and efficiently.

But, without wishing to downplay Mr I's concerns about the matter, even in the most well-run businesses, mistakes can be made. And it's important to make clear here that my role isn't to punish Evelyn for things that have gone wrong. It's to decide whether it took fair and reasonable steps once it became aware of an issue. I'll also think about any wider impact on Mr I – financially or otherwise – and whether that's been fairly recognised.

It seems from what Evelyn said that the problem may actually have been ongoing from at least March 2023. But as the composition of the assets that Mr I had in his SIPP at that time

was different, it seems it wasn't as apparent. It's not clear how widely known this was within Evelyn's operations, but it appears its IT department were aware of an issue from around December 2023/January 2024 as it completed some temporary fixes. And that might account for why Mr I noticed some fluctuations in the SIPP's value in the following few months.

Mr I says that he'd have expected Evelyn to have contacted him about the situation. I think he makes a reasonable point. Although Mr I suggests this was a more complex issue than Evelyn suggested which had the potential to impact his financial decisions, I've seen no persuasive evidence to suggest that he made specific financial decisions that were directly impacted by this issue at the earlier point.

Turning to the precise issue that Mr I identified. Evelyn accepts it made a mistake. And it's given Mr I what I consider to be a plausible explanation for how the issue arose. In short, two of the assets in his SIPP had been duplicated, meaning they'd incorrectly increased the SIPP's overall value. In a response sent in March 2024 (and a further response sent in June 2024), Evelyn confirmed that the problem had been resolved.

Mr I doesn't think Evelyn's actions or responses go far enough. He also suggested that Evelyn missed the point of his complaint when focussing on the fact that he hadn't suffered a financial loss. Amongst his comments he suggested that he wouldn't have made a withdrawal of £42,000 had he known the correct value of his SIPP was between £8,000 and £10,000 lower.

It's clear from the evidence I've seen and from Mr I's own comments that reducing his mortgage has been an objective of his for some time. He said that as his mortgage debt reduced, it brought into focus the possibility of paying off the debt balance – particularly allowing for a much improved Euro exchange rate and small but encouraging growth in the financial markets. And whilst Mr I also indicated that conditions were not perfect, he felt they were as good as he could expect given the advantages he'd experience by reducing his debts on a monthly basis. So, I think that's likely to be a factor that would have played on Mr I's mind when deciding to withdraw £42,000. I accept that having less in the SIPP (once he'd withdrawn that amount) may have affected the amount of investment growth (or loss) that would have been achieved. But that has to be considered alongside the fact that Mr I was apparently able to clear his mortgage debt and save on interest payments too. For completeness, whilst not necessarily Mr I's focus, I'll also say that based on the factors described above, I can't fairly say he suffered an actual financial loss.

However, it's also apparent that Mr I is an investor who carefully tracks the markets – and other relevant factors - such as exchange rates to enable him to make financial decisions when he feels the conditions are right. And in that context, I can entirely appreciate why Mr I might think Evelyn's mistakes and prior lack of communication removed a potential opportunity for him to consider making different financial decisions. I also recognise the disappointment and loss of expectation on Mr I's part. Notwithstanding his careful planning, Mr I was left with an amount shy of what he expected in his SIPP after making the £42,000 withdrawal. And it's that which led to comments along the lines that he'd seen a reduction in the value of his SIPP. Again, that wasn't an actual reduction, but it no doubt felt like one as far as Mr I was concerned. And it's that disappointment and loss of expectation that needs to be recognised.

Evelyn offered Mr I compensation of £200, but Mr I doesn't think that goes far enough. He said he'd have expected Evelyn to make a "sensible" offer. I'll explain that when I think about awarding compensation to recognise a business' mistakes or poor service, I'll carefully weigh up the impact on the customer concerned. That will take account of things such as the length of time the matter went on for and how responsive the business was in putting things right (they are by no means the only factors I'll consider). Here, Evelyn does appear to accept that the issue may have arisen even earlier than when Mr I first noticed it. But as I touched on earlier, I've seen no persuasive evidence suggesting Mr I was directly impacted

by the issue until he raised it in January 2024. I'm satisfied that Evelyn took prompt steps to look into the problem once Mr I raised it. Within a relatively short time it was able to tell Mr I what the problem was and assure him that it had fixed it. But it did mean that there was a period where Mr I still couldn't be confident about his SIPP value or what was causing it to fluctuate. And I do understand that would have been frustrating and a potential worry for him.

After very careful consideration, whilst Mr I may not agree, I think £200 is reasonable in the particular circumstances described here. When awarding compensation at that kind of level it would typically be where there have been repeated small errors, or a larger single mistake, requiring a reasonable effort to sort out. Typically, the business' actions would have resulted in some acute stress lasting hours at the lower end – or may even have had a milder impact across a few days, or even weeks. And it will often be in situations where there has been some distress, disappointment or a loss of expectation. I'm satisfied those factors are at play here. So, if Evelyn hadn't already offered Mr I a payment of £200, that's the amount I'd have been directing it to pay now. I'm satisfied that Evelyn has already taken reasonable steps to put things right for Mr I.

Putting things right

If Evelyn Partners Investment Management LLP hasn't already paid Mr I the £200 compensation it should do so now.

My final decision

I uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr I to accept or reject my decision before 18 July 2025.

Amanda Scott
Ombudsman