

complaint

Mr S has complained about the service provided to him by TD Direct Investing (Europe) Limited when he tried to transfer some investments.

background

In March 2017, Mr S began the process of transferring some international shares he held in an Individual Savings Account (ISA) with a third party, to a new ISA with TD Direct. The transfer only involved moving where the shares were held, rather than any change to the shares themselves. By June 2017 the transfer still hadn't taken place and Mr S cancelled his request. He complained about the delays, and communications he'd received from TD Direct.

TD Direct apologised to Mr S. It said that the majority of the delays weren't its fault. But accepted that there were times when it could've made more effort to try and progress the transfer. TD Direct also accepted that it could've done more to keep Mr S informed of what was happening. TD Direct offered Mr S £50 in recognition of this.

Mr S was also offered £50 compensation from the third party, which he accepted. But Mr S wasn't happy with TD Direct's offer, or that he hadn't received clear information on why the transfer hadn't taken place. So he brought his complaint to this service.

TD Direct told our investigator it was willing to increase its offer to £150. And our investigator considered this to be a fair and reasonable offer. But Mr S remained unhappy and asked for an ombudsman's decision on his complaint.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

It's not entirely clear why the transfer in question didn't take place, prior to Mr S cancelling his request. Several attempts were made to process the transfer, but they weren't successful. I've seen the information shared between TD Direct and the third party, but I can't see that there were any errors caused by TD Direct. It would be preferable to know exactly what the issue was, but ultimately this doesn't change the outcome of this complaint.

Mr S has complained about the amount of time he's had to spend trying to get this transfer completed and with the limited information he received from TD Direct. TD Direct has accepted that it could've done more to try and progress the transfer, and that its communications could've been clearer. So my role is to determine what level of compensation is fair and reasonable to reflect the impact of this on Mr S.

Mr S's shares remained invested. So he's not lost out in terms of their performance. Mr S has said he's been paying higher fees with the third party than he would've paid TD Direct once the transfer had taken place. But Mr S had agreed to pay these fees to the third party, and I don't think it's appropriate for TD Direct to compensate him for having to pay them, especially given that he ultimately chose not to proceed with the transfer.

Additionally, whilst it would've been preferable had the transfer taken place within a short timeframe, TD Direct did inform Mr S that the transfer could take some time. In early March 2017, TD Direct sent Mr S a letter saying this transfer could take more than six weeks. Ultimately, the sooner the transfer took place, the sooner TD Direct would be receiving fees from Mr S. So it was in TD Direct's interest to progress this as quickly as possible. And, as mentioned, I've seen nothing to show that the failure in the transfer was due to TD Direct's actions.

On occasion, TD Direct could've been more pro-active in terms of trying to progress the transfer. But, it doesn't seem likely to me that this would've actually meant that the transfer would've been successful during this period. It just means that TD Direct would've been in a position to provide Mr S with a more substantial response.

Mr S has had to send a number of emails that he wouldn't have had to, if TD Direct's communication with him had been better. But I consider £150 to be fair and reasonable compensation to reflect the impact of this on Mr S.

my final decision

My final decision is that TD Direct Investing (Europe) Limited's offer of £150 is fair and reasonable in all the circumstances. My decision is that TD Direct Investing (Europe) Limited should pay Mr S £150, if it hasn't already done so.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 2 November 2017.

Sam Thomas
ombudsman