

complaint

Mr T complains because Barclays Bank Plc did not arrange for transfer of his cash ISA quickly enough he has suffered financial loss.

background

Barclays didn't uphold the complaint. It said it expected the transfer of a cash ISA to take between one and two weeks. But the actual time needed to complete a request depends on a number of factors.

Barclays set out a timeline of the steps it had taken to complete the transfer. And explained the length of time taken will depend on the time it takes the other broker to respond and release the cash payment.

One of our adjudicators considered the complaint but didn't uphold it. He said it was expected cash ISA's should be completed within 15 days. But this timescale was a recommendation only-it was not prescriptive.

The adjudicator said Mr T's transfer had taken much longer than 15 days. But Barclays had been proactive in its dealing with the transfer. And it was clear Barclays were efficient with the transfer request and consistently chased up progress with the other broker.

Mr T did not agree with the adjudicators view. He said he incurred losses because of the delay. And he thought there were procedures in place to ensure there are no losses if the transfer of an ISA takes longer than 15 days. If that was not the case he thought the public should be warned of the danger of losses caused by delays in transfer.

He also said he had contacted Barclays at the beginning of April and asked them to note on his file his intention to purchase bonds with the money transferred.

As agreement has not been reached the matter has been referred to me for review.

my findings

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

In March 2015 Mr T wanted to purchase a bond for his ISA account. But the business with which he had his account (the old ISA provider) said it could not set up the bond to trade as it did not meet their trading criteria.

As a result of that Mr T opened an ISA account with Barclays on 13 March. He completed a transfer authority which Barclays received on 16 March. He wanted to purchase the bond on 7 April-at the start of the new tax year.

But Barclays did not receive the cheque from the other broker until 22 April. And because of the delay Mr T has suffered a financial loss.

There is only one issue I have to decide-whether Barclays took too long to transfer Mr T's ISA.

There are certain timescales for transfer of a cash ISA which the industry has agreed is best practice.

Mr T makes reference to the 15 (business) days in which a cash ISA should be transferred once the new ISA provider has received the transfer form. And within that 15 day period there are other recommended timescales that apply.

But none of the timescales are prescriptive. And where it takes longer than 15 days to transfer an ISA it doesn't automatically mean a business has done something wrong. There are occasions where, for reasons outside the control of a business, it is not possible to keep to 15 days.

Barclays has set out what it did to get Mr T's ISA transferred. Once it received the transfer form it sent an acceptance letter to the old ISA provider within three business days.

The old ISA provider should have transferred the cash to Barclays within five business days of receiving the acceptance letter. But this didn't happen, and Barclays chased for a response on four separate occasions before the 7 April to try and find out what was happening with the transfer.

And when it chased again on the 7 April it was told the transfer was being processed. But it still took until 20 April-a further nine business days-for the old ISA provider to send the cheque to Barclays.

It was the old ISA provider who had control of Mr T's money. Once the acceptance letter was sent on 19 March Barclays was dependent on it taking the necessary steps to make the transfer. Barclays was not in control of how long this took. And other than chasing for a response there was nothing further it could do.

I think Barclays took reasonable steps to try and get the transfer done. But even if it had chased more frequently there is nothing to indicate the transfer would have taken place by 7 April.

I note Mr T thinks there are procedures in place to avoid losses when there is a delay in transfer of an ISA. But there is nothing that requires Barclays to pay for his losses where it didn't do anything wrong.

my final decision

For the reasons I have set out above I don't uphold the complaint and I make no award.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr T to accept or reject my decision before 11 April 2016.

Philip Gibbons
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