

complaint

Mr D complains about the service provided by TD Direct Investing (Europe) Limited in relation to his trading account.

Mr D's complaint is that:

- there have been system errors in TD's international share trading platform. He says that these errors resulted in him not being able to place orders to trade in particular shares in July/August 2016.
- TD's systems no longer show the previously available detailed quote information when he places international trades. He'd like TD to reinstate this feature.

background

In July/August 2016, Mr D says an error occurred when he tried to trade some shares. He says he submitted an order to trade but his order never reached the top of TD's 'queue'. He doesn't have a record of the particular shares he was trying to trade, or the exact date. But he says as a result of TD's systems error, his transaction didn't happen. Mr D says he rang TD about this at the time, but TD says it has no record of this complaint being made.

Mr D also complains that he's no longer able to see the bid/offer price and the number of shares available on both sides of a trade when he uses TD's international trading platform to buy and sell shares overseas. He's unhappy that this feature has been withdrawn by TD.

In March 2017 Mr D brought his complaint to us. We passed his concerns to TD, but TD didn't uphold the complaint.

One of our investigators looked into Mr D's complaint. In summary, his view was that:

- He wasn't able to find evidence of a particular trade that hadn't happened in July/August 2016. And he couldn't find the call Mr D had with TD at the time. So, he wasn't able to uphold this part of the complaint;
- TD was able to change the features offered as part of its international trading. The changes made hadn't prevented Mr D from trading, although he understood they were a feature Mr D wanted reinstated; and
- He thought TD had led Mr D to believe the feature might be reinstated in January 2017. When this didn't happen, Mr D had suffered a loss of expectation. Our investigator thought it was fair that TD pay Mr D £50 for the disappointment it had caused.

Mr D didn't agree with the adjudicator. He didn't accept that TD couldn't find his calls about his complaint in July/August 2016. And he still wants the information previously available when you placed an international share trade to be brought back into TD's systems.

my findings

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, I agree broadly with our investigator and I'm not going to uphold the main part of Mr D's complaint. I'll explain why.

Mr D says he wasn't able to place a trade at some point in late July or August 2016 because there was a problem with TD's systems. Mr D can't recall the exact trade he was trying to place or the date he wanted to make the transaction. However, he knows he made a call to TD at or around the time to complain about this.

We've asked TD to try and find this call. TD found calls from Mr D but none of these calls covered the issues raised in this complaint. The calls found were the subject of other complaints, but Mr D has confirmed these weren't connected.

In the absence of further information I'm not in a position to uphold this part of Mr D's complaint. I can appreciate Mr D's frustration about this. But, I'm only able to determine complaints on the basis of the evidence presented. In this instance there isn't enough evidence to establish that a mistake was by TD (or its systems) that led to Mr D suffering a financial loss.

Mr D has provided us with emails between him and TD about his dissatisfaction with the changes made to its international trading page. He wants to still have the ability to see the bid/offer price and the quantity of shares available on both sides of a trade before he executes the trade.

TD has told us that it's made a number of changes to try to simplify the information given in its trading system. It said it did this following feedback from its customers. TD decided to drop the 'detailed quote information for international exchanges' from the 'preview order page'. I can understand why Mr D found this information useful and why he was disappointed that this extra information had been removed. However, I'm not persuaded that changes to the information shown stopped Mr D from trading or that he's suffered a direct financial loss as a result of TD's actions.

I also don't think that TD has done anything wrong in making these changes. I'm satisfied that it's a matter for TD's commercial judgement to make these amendments to its preview order page. I consider the changes that have been made are ancillary to trading activities- rather than integral to it. I don't think it would be fair or reasonable for me to direct TD to reverse the changes it has made.

I think TD gave Mr D the impression (by email) that it would reinstate the feature he wanted in January 2017. It seems that it then decided to implement other amendments to the trading systems rather than this particular feature. I can understand why Mr D was disappointed by this. I think it is fair that TD pay Mr D £50 to compensate him for the confusion caused about whether this feature would be reintroduced. I make no further award against TD.

my final decision

I don't uphold the part of Mr D's complaint about being unable to trade in July/August 2016.

I uphold, in part, Mr D's complaint about the features that have been removed from his trading account. For the reasons I've explained above, I consider that TD Direct Investing (Europe) Limited should pay Mr D £50 for the disappointment he's experienced as a result of being wrongly led to believe this feature would be reintroduced.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr D to accept or reject my decision before 27 December 2017.

Emma Peters
ombudsman