

The complaint

Mr and Mrs M complain about Argentis Wealth Management Ltd ('Argentis'). They complain the advice they were given by Argentis to change some investments they had wasn't suitable for them. And the fees and charges they have paid were unreasonable. This has caused worry and unnecessary anxiety about their savings. They would like half of the fees removed as compensation for this stress.

What happened

Mr and Mrs M complain about the advice and contact they have had from Argentis over 2019 to 2023. However, the events they complain about up to the advice they were given in 2020, which was to make changes to their Individual Savings Accounts ('ISA'), have already been considered by the Financial Ombudsman Service. I won't revisit the earlier events that they complain about.

The complaint I'm looking at here came about after Mr and Mrs M completed an exit questionnaire in 2023. Argentis responded to this, although not as a formal complaint response because at this point it wasn't clear that Mr and Mrs M wanted to complain. But Mr and Mrs M brought this complaint to the Financial Ombudsman Service and Argentis has confirmed it has no objection to the Financial Ombudsman considering it, despite not being given an opportunity to look at it fully before it was referred here.

Mr and Mrs M now complain about a fund switch that was made in 2021 to their ISA's and the customer service they have received from Argentis after this time. They think the fund switch wasn't suitable for them and they think the customer service has been inadequate.

In 2020 and 2021 Argentis completed fact finds that recorded Mr and Mrs M's circumstances. These showed, at the time of the advice complained about, that Mr M was aged 72 and Mrs M was aged 70. They were married with no dependents, and they were both retired. Their income covered their expenditure.

This complaint concerns their two ISA's. Mr M's ISA had a value of about £98,000 and it was currently held in cash. Mrs M's ISA had a value of about £73,000 and it was also held in cash. Mr and Mrs M had moved these investments into a cash fund following the outcome of their previous complaint. Argentis didn't advise Mr and Mrs M to do this.

Mr and Mrs M had other savings and investments, but I won't detail these here as they don't form part of this complaint. And they aren't relevant to it.

At the time of this advice Mr and Mrs M were not happy that their ISA investments were fully held in cash, and they wanted to improve on the returns they were receiving from them. The information from the point of sale shows that they wanted to invest for growth in cautious funds.

The February 2021 suitability letter said that Mr and Mrs M had large amounts held in cash and they wanted to look at the underlying investment strategy of this. They wanted to invest £50,000 each from their ISA's for potential growth over the medium to long term.

Argentis has assessed Mr and Mrs M's attitude to risk at various points in time. It has been recorded as being 'balanced' for the most part. It was recorded that they wanted to invest in cautious funds within their ISA's in 2021. And they had done this in the past before moving the investments into cash.

Argentis recommended their monies remained held within the ISA's as these were still appropriate investment wrappers. And they each switched £25,000 of the funds into two 'cautious' funds. It was noted that Mr and Mrs M could invest the remaining funds in risk-free areas such as cash or national savings.

I understand that going forward these investments fell in value at times. Mr and Mrs M say they had tried to contact Argentis about this, but it has proven to be difficult. This is partly due to their adviser leaving. They say they were left without an adviser for a long period of time and this investment has turned out to be overly complicated and costly. They say the performance has been lacklustre.

One of our Investigators has considered the complaint and didn't uphold it. He said that:

- He wasn't persuaded that Mr and Mrs M's investments were left in cash due to the actions of Argentis.
- He was satisfied that the recommendation given in February 2021 to change their investments was suitable for Mr and Mrs M.
- Argentis hadn't acted incorrectly when the adviser had left, and they would have been able to arrange advice if it was needed

Mr and Mrs M didn't agree with what our Investigator said. As far as I can see they didn't raise any new issues, but they requested that their complaint was considered by an ombudsman.

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 and Mrs M have complained that their investments were left in cash for a long period of time. And it does seem that their ISA's were held in cash from around March 2020 to the fund switch in early 2021.

But Mr and Mrs M specifically requested that their investments were moved to cash in March 2020 without any involvement from Argentis. I don't think it would be reasonable for Argentis to have proactively looked to change this. And Mr and Mrs M could have requested advice (from Argentis or another business) or made any changes they thought were needed themselves. I can't see that Mr and Mrs M wanted this to be changed at any other time than in early 2021. So, I'm not persuaded that Argentis made an error here, or that Mr and Mrs M's investments were not as they wanted them to be over this period.

At the heart of this complaint is the advice Mr and Mrs M were given to move some to the funds they held in their ISA's into the two cautious funds as I've detailed above.

It seems to have been established that Mr and Mrs M were unhappy with the returns they were receiving from the investments when they were invested in cash. And they wanted to invest in a more equity-based areas to improve on this. There doesn't seem to be any disagreement about this strategy.

These two 'cautious' funds were a mix of fixed interest and equity-based investments. I think it's reasonable to say they were suitable for cautious investors and so would meet Mr and Mrs M's need to invest some money in 'cautious' funds. And Mr and Mrs M still had a significant proportion of their funds in cash which provided some balance to the higher risk bearing investments.

Overall, I don't think the investments had a greater risk than Mr and Mrs M wanted to take, or had the capacity to take, at the time.

Mr and Mrs M say that the funds were overly complicated. But I think it's reasonable to say that Mr and Mrs M seemed to understand and agree with the advice at the time. They had invested before in this type of fund, and, as far as I can see, they had invested in one of the funds previously (before the switch to cash). So, they had a degree of familiarity with this investment.

So, I don't think that the 2021 advice to switch part of their ISA investments into two cautious funds was unsuitable for them.

Mr and Mrs M's circumstances were reviewed in 2022 but after this the adviser they had been in contact with left Argentis. I understand that Mr and Mrs M weren't immediately told about this. But business employees can, and do, change from time to time. And from what I've seen Argentis were planning to get in touch with Mr and Mrs M in the near future. And in time before the next annual review.

And in any event Argentis has shown that Mr and Mrs M have had regular contact over the years. Mr and Mrs M have said that at times telephone calls weren't returned in a timely manner. But I've not seen any protracted time where they didn't have access to an adviser or Argentis. And I'm sure they were aware they could have looked elsewhere if the frequency of contact from Argentis wasn't what they expected it to be, as they did. So, I'm not upholding Mr and Mrs M's complaint about the customer service they have received.

Overall, I'm not upholding Mr and Mrs M's complaint. And this means that I don't think it's fair to make an award that would refund Mr and Mrs M any of the charges and fees they may have paid on their ISA investments.

My final decision

For the reasons set out above, I don't uphold Mr and Mrs M's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs M and Mr M to accept or reject my decision before 11 April 2024.

Andy Burlinson
Ombudsman