

## The complaint

Mrs M complains that Shawbrook Bank Limited made errors and caused her ISA transfer to a new provider to be delayed. She says she had to make numerous calls and sent letters and emails to try to resolve the matter. She wants compensation for the poor service and treatment she received.

## What happened

Towards the end of July 2023, Mrs M opened and funded a one-year fixed rate cash ISA with Shawbrook. On 4 August 2023, within the 14-day cooling off period, she instructed Shawbrook to transfer her ISA to a new provider, who I'll refer to as "N".

Shawbrook transferred the balance of the account on 10 August, but it wrongly charged an early exit fee. Mrs M complained and Shawbrook transferred the amount it had wrongly charged to N on 25 August.

Mrs M contacted Shawbrook to tell it that the money had been credited to her current account with N, rather than her ISA account. In summary, Mrs M says she had to contact Shawbrook, and N, on numerous occasions and it wasn't until December 2023 that the money was transferred to her ISA account.

Shawbrook said it had failed to issue an ISA history form when it transferred the second sum, which may have contributed to the delay. It paid Mrs M £250 for the failure to send the history form, and £50 for failing to respond to her letter.

When she referred her complaint to us, Mrs M explained the stress and sleepless nights she'd had and how she felt Shawbrook didn't listen to her, despite her many calls, emails, and letters.

Our investigator initially thought the complaint should be upheld. He thought the transfer should have been completed by no later than 25 August, but the delay was caused because N didn't receive the history form until 2 November 2023. He thought Shawbrook should pay Mrs M any interest she'd lost. He thought it was fair that Shawbrook paid Mrs M £250 compensation in September, but that it should pay an additional £200 to reflect the continuing distress and inconvenience she'd suffered after September until the transfer was completed in December.

Shawbrook didn't agree with the investigator's conclusion. It provided new evidence which showed that N was in receipt of the history form on 8 September, but that it didn't contact Shawbrook until 7 November to tell it that it needed Mrs M's full name on the form. Whilst it couldn't amend the form, it emailed N with the details it had requested on 9 November.

Following receipt of the new evidence, our investigator reconsidered everything and didn't recommend that the complaint should be upheld. He was satisfied that Shawbrook had sent the required history form to N on 8 September. Whilst it had made a mistake by charging the early exit fee, and not responding to Mrs M's letter, he thought the payment of £300 in total for the distress and inconvenience caused was fair.

Mrs M didn't agree. She said, in summary, that:

- The investigator's view included incorrect dates.
- Her emails weren't responded to and she wasn't listened to during calls.
- Shawbrook says it contacted N on 24 October about the history form, but that was only because she brought it to Shawbrook's attention. Shawbrook should have taken action sooner.
- What should have been a simple transfer has caused her much time, effort, and distress and upset.

### **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.

Firstly, I'm aware that I've summarised this complaint in far less detail than the parties and in my own words and I'm not going to respond to every single point made. In particular, I've set out only briefly Mrs M's response to our investigator. No discourtesy is intended by this. Instead, I've focussed on what I think are the key issues here. Our rules allow me to do this. This simply reflects the informal nature of our service as a free alternative to the courts. If there's something I've not mentioned, it isn't because I've ignored it. I haven't. I'm satisfied I don't need to comment on every individual argument to be able to reach what I think is the right outcome.

Similarly, our investigator has already set out a detailed timeline, so I'm not going to repeat that again here.

Having considered everything carefully, I find I have come to the same conclusion as the investigator for the following reasons:

I agree with Mrs M that this should have been a simple transfer and should have been completed within the government guideline timescale of 15 working days. She's said that if N is responsible for any delays, it needs to take responsibility. But the matter she's referred to us is her complaint against Shawbrook. So I can only consider whether Shawbrook did anything wrong. And, if I find it did, whether it has put Mrs M back in the position she'd be in now if the mistakes hadn't happened. I can't comment on whether N did anything wrong. Mrs M is of course free to complain to N if she thinks it made mistakes that contributed towards the delay, and to refer that complaint to us if she's not satisfied with N's response.

I find Shawbrook accepts it made mistakes here which contributed to the delay in the transfer. Firstly, it wrongly charged Mrs M an early exit fee. This meant that, whilst the bulk of her account was successfully transferred on 14 August, a second transfer of £711.61 was required.

I'm satisfied Shawbrook completed the second transfer on 29 August. This was on the 15<sup>th</sup> working day (due to bank holidays), so within the government timescale guidelines for cash ISA transfers.

Whilst it sent this second sum to Mrs M's ISA account with N, N didn't accept it. Most likely this was because Shawbrook didn't send an ISA history form with the payment. As a result, N paid the money into Mrs M's current account, rather than her ISA account. And she's

explained the stress she was caused when she noticed the payment and had no idea what it related to and couldn't get through on the phone to N.

Whilst I'm satisfied that Shawbrook instructed N to credit the money to Mrs M's ISA account, it would appear most likely that N's process required it to be in receipt of the ISA history form before it could do this. Shawbrook provided N with the form on 8 September, after Mrs M had contacted it to explain the money had been credited to her current account. In doing so, I think it acted quickly and reasonably.

Having sent the account history form, and hearing nothing back from N, it seems reasonable that Shawbrook assumed N had everything it needed. Following Mrs M's call on 24 October – to say the money was still in her current account – I'm satisfied Shawbrook acted reasonably in contacting N. But it wasn't until 7 November that N requested Mrs M's full name. So I can't hold Shawbrook responsible for the delay because it had supplied everything it thought it needed to by 8 September.

I'm sympathetic to the position in which Mrs M found herself. And I appreciate she spent a lot of time contacting both parties involved to try to get things resolved. Shawbrook didn't always respond to her, and she had to repeat facts when she called. But I'm satisfied that the total amount Shawbrook paid her - £300 – is fair and reasonable compensation for the distress and inconvenience it caused.

I'm satisfied Shawbrook has paid the compensation it offered - £250 paid on 11 September and £50 paid on 6 November. For the reasons I've explained, I don't require it to do anything more.

### **My final decision**

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs M to accept or reject my decision before 23 October 2024.

Elizabeth Dawes  
**Ombudsman**