

The complaint

Ms S complains how Halifax Share Dealing Limited (HSDL) processed an ISA transfer she requested. As a result, Ms S has suffered stress, lost time, and missed out on a cashback promotion payment.

What happened

In June 2023, Ms S requested online with HSDL to transfer her ISA from another provider who I'll refer to as B. HSDL sent the request to B but the transfer rejected, therefore HSDL attempted it again but got the same result. It was attempted a third time but rejected again, B saying the reason involved in each rejection was that there was already a transfer in progress. HSDL then wrote to Ms S making her aware and providing a contact telephone number for her to call if she needed more information. Separately, Ms S contacted HSDL and completed a replacement transfer form but this transfer attempt was also rejected. Ms S then instructed HSDL to cancel the ISA transfer, and raised a complaint with them, unhappy about what had happened, and their quality of communication.

HSDL investigated the complaint. They explained what had happened including the rejections but said they considered it B's responsibility to advise Ms S of any issues they may have had, and could not find any grounds on which to uphold the complaint.

Dissatisfied, Ms S responded to HSDL explaining her case again and saying it was HSDL who should have kept her updated about the ISA transfer, not B. Ms S also raised the concern about missing out on a cashback offer. HSDL responded again to say their position had not changed, and as an execution-only service, they were not responsible for overall communication. Regarding the cashback offer, HSDL said Ms S was no longer eligible as the offer expired on a certain date.

Remaining unhappy with HSDL's response, Ms S brought her complaint to our service.

Our investigator looked into the complaint and didn't think HSDL needed to take any action. They laid out in detail what had happened to the ISA transfer, noting HSDL's concerted efforts to find a way to complete it. Our investigator did mention that on occasion, HSDL's communication and complaint handling could have been better, but didn't agree they were responsible for all of the communication. In terms of the cashback, our investigator said that as Ms S cancelled the transfer, the offer had lapsed so wasn't available.

Ms S disagreed with this outcome mentioning several issues including the phone call she made to HSDL, and disagreeing that she received a letter from them. Our investigator contacted HSDL with Ms S's concerns asking for more information but HSDL took longer than expected to provide everything. Eventually, we received the information and wrote to Ms S again. In this view, our investigator said their outcome had not changed and acknowledged Ms S's other points. Regarding the letter, they said they had seen proof it had been sent, and in terms of the phone call, they addressed Ms S's concerns.

Ms S was unhappy with our investigator's further view and accordingly, requested an ombudsman review her complaint.

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.

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, and while I recognise this will come as a disappointment to Ms S, I have decided not to uphold the complaint for broadly the same reasons as the Investigator stated in their views.

If I don't mention any specific point, it's not because I failed to take it on board and think about it, but because I don't think I need to comment on it to reach what I think is a fair and reasonable outcome. No discourtesy is intended by me in taking this approach. The details of this case and the sequence of events pertaining to the ISA transfer have been well-documented by our investigator so I won't go into detail.

It is always regrettable when we see a relatively simple process like transferring an ISA result in a longer protracted experience. I sympathise with Ms S for the frustration she experienced. It's our role to identify if a business has made a mistake and if so, look at the impact this has had on the consumer.

I can understand both how frustrating this has been for Ms S and, how she would have wanted to be kept updated with every event concerning her ISA transfer. But firms such as HSDL are commercial entities who are entitled to decide their level of contact with a consumer. I know Ms S feels strongly about the communication from HSDL and I have seen the letter they sent as a result of the rejections, the delivery of which I can't hold HSDL responsible for. Ms S is unhappy that HSDL didn't contact her during the rejections but I understand their priority at that time was to attempt to process the transfer.

I acknowledge Ms S's unhappiness about the length of time this has taken whilst her complaint has been with our service and it has taken longer than we expected however, I wanted to reassure Ms S that our investigator worked hard on chasing HSDL for the information they required.

Finally, regarding the cashback offer, I've reviewed the telephone call that Ms S made to HSDL about it, and cannot see sufficient evidence to support HSDL being at fault; therefore it would not be fair to ask HSDL to honour the payment, or compensate for it.

In conclusion, I do sympathise greatly with Ms S's position and while she is likely to be unhappy with my decision, I can't find sufficient evidence to show HSDL made errors with the ISA transfer request. Therefore, I can't ask them to do anything further.

My final decision

For the reasons I have given it is my final decision that the complaint is not upheld.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms S to accept or reject my decision before 17 December 2024.

Chris Blamires
Ombudsman