

The complaint

Mrs M is unhappy that National Savings and Investments (“NS&I”) didn’t process her ISA transfer request in a timely manner.

What happened

Mrs M wanted to transfer £40,000 from her NS&I ISA to an ISA she held with another provider and instructed the other provider to request the transfer accordingly. The other provider submitted a transfer request to NS&I on 31 May 2022 by recorded delivery but received no response. The other provider chased the transfer with NS&I on 21 June 2022, and Mrs M raised a complaint about the matter on 1 July 2022.

NS&I responded to Mrs M and explained they hadn’t received any transfer request from the other provider and asked for it to be resubmitted. Mrs M wasn’t satisfied with NS&I’s response, so she referred her complaint to this service.

One of our investigators looked at this complaint. They noted that the other provider had been able to demonstrate that it had sent several items to NS&I by recorded delivery on 31 May 2022, and while the other provider hadn’t retained which specific sent item was the transfer request for Mrs M, they could demonstrate that all the recorded delivery items sent that day were confirmed as being received by NS&I on the following day. As such, our investigator recommended that this complaint be upheld in Mrs M’s favour.

NS&I didn’t agree with the view of this complaint put forwards by our investigator and didn’t feel it could be confirmed that the other provider had sent the request as it maintained. So, the matter was escalated to an ombudsman for a final decision.

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 issued a provisional decision on this complaint on 15 August 2023 as follows:

It’s clear that there are several discrepancies between NS&I’s explanation of what happened, and the version of events put forwards by the other provider. For instance, NS&I say that they never received the ISA transfer form from the other provider and that they notified the other provider that the form hadn’t been received. On the other hand, the other provider say that they did send that form to NS&I and that they didn’t receive any notice from NS&I that it hadn’t been received until they chased NS&I themselves.

In situations such as this, where the testimonies of two parties sit in contradiction of one another, I must decide which of the two versions of events I feel is most likely to have happened, on balance, and in consideration of all the information available to me.

In this instance, I find NS&I’s explanation that they didn’t receive the form sent by the other provider on 31 May 2022 to be the more persuasive. This is because while the other

provider has explained they're certain the form was sent by recorded delivery to NS&I, they are unable to provide an exact tracking number for the form. And I feel that this means that while the other provider can evidence that the items it did send to NS&I were received by NS&I, it can't evidence that one of those items was the ISA transfer form in question.

Additionally, NS&I have explained that all received mail is scanned upon receipt in the mail room and that this means if an error had occurred, it's more likely to have been that the form was scanned to the wrong file, which would have been uncovered later when that file was reviewed.

Finally, on 30 January 2023 the other provider mailed an ISA transfer form to NS&I for Mrs M. But this appears to have been the original form and is dated 26 May 2022 and isn't marked as being a duplicate or copy. And if the other provider sent the original form to NS&I in January 2023 then that form can't have been sent to NS&I previously. And I feel that this further supports NS&I's position that it didn't receive the form in the first instance.

It isn't in dispute that Mrs M has been inconvenienced and frustrated by what's happened here. But my provisional decision is that I won't be upholding this complaint against NS&I. As explained, this is because I feel it's more likely than not, given what I've described, that NS&I didn't receive Mrs M's ISA transfer form from the other provider in the first instance.

In my provisional decision letter, I gave both Mrs M and NS&I the opportunity to respond and to provide any comments or new information they might wish me to consider before I moved to issue a final decision.

Neither Mrs M nor NS&I provided any response. As such, I see no reason not to issue a final decision on this complaint whereby I do not uphold it, for the reasons given in my provisional decision. And I therefore confirm that I do not uphold this complaint accordingly.

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 11 October 2023.

Paul Cooper
Ombudsman