

## **The complaint**

Mr and Mrs R complain that 42 Wealth Management Ltd (previously, and for the period in question, Salix Wealth Ltd) caused a delay in the encashment of an investment bond, which incurred a loss to them. They're represented in bringing the complaint by their son, but for ease I'll refer only to Mr and Mrs R.

## **What happened**

In June 2022 Mr and Mrs R decided that they wanted to encash the investment bond as they were concerned with its performance and drop in value. They contacted their investment adviser, Salix, which provided them with a 'withdrawal/closure form' to complete.

The completed form was forwarded to the bond provider on 23 June 2022, along with some identification documentation. A couple of weeks later the matter was chased and Salix was informed that an additional 'payment release form' would also be required. The form was provided to Mr and Mrs R and returned to the bond provider on 8 July 2022. Payment was then made on 15 July 2022 and received into Mr and Mrs R's account a few days later.

Several months later a complaint about the delay in encashment was made to Salix, which it didn't uphold. In short, it felt it had acted reasonably and had provided the bond provider at the outset with the documentation it understood was required for encashment.

Mr and Mrs R didn't accept this and referred the matter to this service. However, our investigator also didn't think the complaint should be upheld. She was satisfied Salix had administered the process as it would normally have done and noted its point that the information required on the additional payment release form had already been provided on the encashment form, so had been available to the bond provider at the start of the process.

Mr and Mrs R didn't accept the investigator's view. They were unhappy that the focus of the investigator's view appeared to be with the actions of the bond provider rather than Salix, given it was Salix who had advised on the bond and had a relationship with the bond provider. They didn't accept that Salix bore no responsibility and felt it had owed them a duty of care.

As the investigator wasn't persuaded to change her opinion, the matter was referred to me to review.

## **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 appreciate Mr and Mrs R's concerns about the length of time the process took and the potential for it to have incurred a loss to them. Looking at the chronology of events, it does appear that the encashment didn't go as smoothly as it could, or should, have done.

But it's important to stress that here I'm considering only Salix's role in the process. And in

that respect, I'm not persuaded there's sufficient evidence to support a finding that it acted incorrectly and should be held responsible for any loss that may have occurred.

It seems that the delay primarily stemmed from Salix not providing the bond provider with the payment release form along with the withdrawal/closure form and other documentation on 23 June 2022. I accept this *may* have been an error on Salix's part, but I note its comments that it hadn't previously been asked for such a form in similar circumstances. And further, the payment release form isn't among the '*additional documents we will need*' that the bond provider listed on the withdrawal/closure form, which to my mind goes some way to support Salix's position.

In any event, once Salix became aware of the additional requirement it promptly arranged for the form to be completed by Mr and Mrs R and forwarded to the bond provider on 8 July 2022.

As I understand it, a separate complaint was made to the bond provider by Salix, that wasn't upheld. It may be that, for the sake of completeness, Mr and Mrs R wish to make a complaint in their own right to the bond provider. From what I've seen it looks like the bond provider may have been experiencing delays with the encashment process, meaning the process would have been impacted in any event. But I accept that's speculation on my part that would be properly determined via a separate investigation.

In summary, in all the circumstances, I don't think there was an identifiable delay in the process that, on balance, can be reasonably attributed to Salix and warrant it paying compensation.

### **My final decision**

For the reasons given, my final decision is that I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R and Mrs R to accept or reject my decision before 2 February 2024.

James Harris  
**Ombudsman**