

complaint

Mr W complains about errors Intrinsic Financial Planning Ltd made when communicating with him about his pension.

background

Mr W met with an advisor from Intrinsic in 2015. During this meeting Mr W was advised to move his pension to a different platform. The advisor explained there would be an ongoing charge for this.

When Intrinsic sent Mr W his suitability letter he noticed there were errors. Mr W's personal circumstances hadn't been recorded correctly including his job, salary and dependant information. He also received a pension transfer form with someone else's details on it. He's explained that he lost confidence in his advisor at this point and he complained to Intrinsic.

Mr W's complaint was about the errors that had been made, but he was unhappy that his charge had increased as well. Intrinsic explained that the charge was something that was clearly set out and that Mr W had accepted. However it did apologise for the errors in the letter, and sending Mr W someone else's transfer form. It offered, by way of an apology, to refund the charges that Mr W had paid up to that point. This was £1,259.74. It also explained that to stop the ongoing charge, Mr W would have to contact his platform provider directly to remove the advisor.

Our investigator upheld the complaint. She explained that the offer of £1,259.74 was reasonable when considering the trouble and upset that Intrinsic had caused Mr W. However she noted that Mr W was sent a letter from the advisor which said he had removed himself from his plan and no additional ongoing charges would be deducted. She found that Mr W had paid additional charges so she recommended Intrinsic pay Mr W these charges back with interest.

Mr W disagreed with the investigator's view. He explained he now needs to find a new pension provider and this has caused him a lot of inconvenience. So the complaint has been passed to me.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

I understand that Mr W is unhappy with the mistakes Intrinsic made when it wrote to him, rather than the advice he received to transfer his pension. I also understand he was unhappy with the ongoing charge that was applied. As such I won't be looking at the advice he received to transfer his pension, I'll be considering the mistakes Intrinsic made and whether it has done enough to put this right.

Information sent to Mr W.

Intrinsic has admitted that it made mistakes in the information it sent to Mr W, and that it sent him someone else's transfer form by mistake. For the trouble and upset it caused Mr W, it offered to refund the charges he'd paid which came to £1,259.74. I think Intrinsic has done enough here and I won't be asking it to do anything more.

It's important to note that the charge was applied correctly, and so the refund of this amount isn't something that Mr W was entitled to. So I'm considering the amount of the refund in line with our general approach on awards for trouble and upset caused. In this case, for the mistakes Intrinsic has made, I think the amount it has offered is fair. Mr W has said he feels he needs to change his pension provider due to the mistakes Intrinsic made which could cost him a lot of money. However I think this is Mr W's choice to make. Although mistakes have been made and I can understand why he's upset, I don't think this means he'd have to change his pension provider. And I've not seen anything to suggest his pension was affected by the mistakes in the correspondence.

ongoing charge

After Mr W had complained, Intrinsic told him in its final response letter that he would have to contact his pension provider to remove his advisor, and once he'd done that the ongoing charge would stop. However, Mr W then received a letter from his advisor which said he'd asked the pension provider to be removed and to stop the ongoing charges with immediate effect. So it's understandable at this stage why Mr W didn't contact his pension provider himself to stop the ongoing charge.

If he hadn't received this letter I think it's likely he would've contacted his pension provider to remove the advisor. As such, he wouldn't have paid the subsequent ongoing charges. The letter was sent on 31 October 2016, so I think it's reasonable for Intrinsic to refund Mr W the ongoing charges incurred after 31 October 2016 with interest.

putting things right

To put things right, Intrinsic Financial Planning Limited must:

- Pay Mr W £1,259.74 that it offered him as trouble and upset for the mistakes it made.
- Refund the ongoing charges that Mr W has paid since October 31 2016 plus 8% interest from the date he paid it to the date of settlement.

my final decision

For the reasons I've explained, I uphold this complaint. Intrinsic Financial Planning Ltd must follow the instructions I've set out above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr W to accept or reject my decision before 20 July 2017.

Charlotte Wilson
ombudsman