

18 July 2023

Final report by the Complaints Commissioner**Complaint number 202300206***What the complaint is about*

1. The FCA set out in its decision letter dated 16 May 2023 that your complaint is as follows:

You were a member of Organisation X during your professional career as a doctor. After being dismissed, you allege that the Organisation X sabotaged your case of defence instead of defending you in accordance with their stated purpose.

You feel that the Organisation X are not being transparent about their company values and are tricking women into thinking that they have equal membership rights to legal defence as men. You have made multiple complaints to the MDU, but they have been ignored.

Additionally, you allege that if the FCA regulated the Organisation X, then the FCA has turned a blind eye to your situation.

To resolve your complaint, you would like to be granted your back pay and compensation for injuries caused as an indirect result of the actions and inactions of the Organisation X.

What the regulator decided

2. The FCA did not investigate your complaint. This is because your complaint does not arise in connection with the exercise of the FCA's relevant function, it set out that:

Your complaint relates to allegations about a mutual, not-for-profit medical defence organisation. We regulate Organisation X for insurance mediation and consumer credit activities only. As this

complaint is regarding a personal dispute with Organisation X, it is not something we are able to investigate under the Complaints Scheme because your complaint is not arising in connection with the exercise of the FCA's relevant functions.

Why you are unhappy with the regulator's decision

3. You wrote to my office on 16 May 2023 and asked me to consider the FCA's decision not to investigate your complaint about Organisation X.

My analysis

4. I have reviewed the information that both you and the FCA have provided to me including your complaint to the FCA dated 21 April 2023 which set out the history of your personal dispute with Organisation X in detail. I am sorry to hear about the experience you have had, it is clear that this has been a very stressful and upsetting period for you.
5. Unfortunately, in view of the fact that the FCA has confirmed that its regulation of Organisation X is for insurance mediation and consumer credit activities only, I consider that the FCA was correct to set out that it is unable to investigate your complaint under the Complaint Scheme because it does not arise in connection with the FCA's relevant functions as defined in the Complaint Scheme and Part 6 of the Financial Services Act 2012.
6. Your complaint arises out of your personal dispute with Organisation X. I can see that the FCA has directed you to Organisation X's complaints page on its website to consider what other options are available to you going forward. It is clear that you have already pursued a number of avenues to try and resolve your issues, you may wish to seek independent advice what other avenues maybe available to you if you have exhausted the complaints processes detailed on Organisation X's website.
7. I am sorry that your complaint does not fall within the remit of the Complaint Scheme and I am **not able to investigate your complaint**. I hope that you are able to find a resolution to your dispute in the near future.

My decision

8. For the reasons set out above I have **not investigated** your complaint. This is my final report about your complaint and concludes my investigation.

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Complaints Commissioner

18 July 2023