



18 September 2024

Final report

Complaint number 202400218

The complaint

1. On 5 June 2024, you submitted a complaint about the FCA.

Your FCA complaint

2. You feel there were service level issues concerning your contact with the FCA such as your query sent on 15 March 2024 being ignored by the Supervision Hub. You alleged that the contents of the email thread were deleted by the FCA, which made it more time consuming and difficult for you to get the correct information to the FCA for your complaint.

What the regulator decided

3. Following the FCA's 5 June 2024 Decision Letter, it issued you with another Decision Letter on 10 June 2024 stating that the level of service you experienced fell below the standard it would expect. It said this in the context of Supervision taking 10 days to respond to you and not providing you with specific details concerning the DISP rules. The FCA offered you £75 in recognition of the inconvenience that the delay and lack of explanation may have caused you.
4. The FCA also reassured you in its letter that all correspondence you had with it was retained in full on its systems. Essentially the FCA said the contents of the email thread you allege was deleted by the FCA was not deleted. The FCA apologised for any extra work this may have caused you by having to trawl through the emails before responding to the FCA.

Why you are unhappy with the regulator's decision

5. You have referred the FCA's decision for an independent review. You would like an increase in the amount of ex gratia payment the FCA offered you. You think the FCA should make the following changes to its procedures as follows:
 - a. Ensure that complaints are dealt with correctly first time;
 - b. If a review is standard practice to explain that another letter will be coming;
 - c. If a second letter is sent then to explain what triggered this second letter;
and
 - d. Ensure all communications are in a single thread.
6. You also said on 26 July 2024 that the FCA took 45 days to respond to your email. You feel this is an unacceptable level of delay.

Preliminary points (if any)

7. You have raised a new complaint point that the FCA took 45 days to respond to your email. You feel this is an unacceptable level of delay. As this is a new complaint, the correct process must be followed as per the [Complaints Scheme](#). The FCA needs an opportunity to investigate this first before this is referred to me. Please submit this as a separate complaint to the FCA.

Analysis

8. It is agreed that there were service level issues in the FCA's correspondence with you. It is unfortunate that you did not receive the outcome to your complaint in one Decision Letter. Understandably, this may have caused some confusion. However, it must be noted that the reason the FCA did this is because it realised it had missed important elements of your complaint in its original communication with you and subsequently took steps to try and put things right.
9. You would like an increase in the level of ex gratia payment that was offered to you. The Commissioner has considered your comments on this and considers that £75 is fair and reasonable, considering the inconvenience that was caused to you.
10. The FCA's normal practice is to issue one Decision Letter per complaint. In this case, due to error, it did not do so. It has apologised for this and offered you an ex-gratia payment for distress and inconvenience. The Commissioner's view is

that this is sufficient remedy for the circumstances of the case, therefore the Commissioner agrees with the FCA that your complaint is upheld.

The Complaints Commissioner

Complaints Commissioner

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