

Complaint number 202400520

On 7 November 2024, you submitted a complaint to my office about the FCA.

I have considered your complaint and my comments are as follows.

1. In October 2024, you made a complaint about the FCA under the Complaints Scheme for allegedly failing to investigate a refusal by Bank X to provide you with a business account and phishing on your bank account. The FCA concluded that your complaint was about X Bank and, therefore, was outside of the scope of the Complaints Scheme. The Scheme only covers complaints in connection with the exercise of, or failure to exercise, any of the FCA's relevant functions as defined in the Complaints Scheme and Part 6 of the Financial Services Act 2012.
2. The FCA advised you that the appropriate body for hearing your complaint was the Financial Ombudsman Service (FOS) and noted that you had already submitted your complaint to the FOS.
3. Dissatisfied with the outcome, you submitted the FCA's decision to my office for review.
4. I agree with the FCA's decision not to investigate your complaint and note that you have already pursued the FOS route. Although the FCA has a (limited) oversight role of the FOS, the FCA has no remit to intervene in decisions the FOS and its Ombudsmen make in individual cases.
5. Further, as the FCA has advised you, once the FOS has made its final decision, that brings the matter as far as the FOS process is concerned, to an end. If you disagree with the FOS decision, you can seek legal advice.
6. However, please note that neither the FCA, nor I can investigate complaints about the actions, or inactions, of the FOS under the FCA's Complaints Scheme under paragraph 2.9 (D).

7. If you are concerned about the standard of service provided by the FOS, you can submit a complaint to the Independent Assessor. The Independent Assessor can consider complaints about the standard of service provided by the FOS. This covers the practical handling of a case but not disagreements about its outcome. A complaint to the Independent Assessor must be made within 3 months of the Financial Ombudsman Service confirming completion of its own internal procedures regarding the complaint. Further information is available here: <http://www.independent-assessor.org.uk/> .As a way forward, you may wish to lodge a complaint with an Independent Assessor, if you have not already done so.
8. For the reasons above, your complaint is excluded. And there is no further help that can be offered to you under the Complaints Scheme.

The Complaints Commissioner

Complaints Commissioner

07 January 2025