



28 March 2025

Final report by the Complaints Commissioner

Complaint number 202400638

The complaint

1. On 24 January 2025, you submitted a complaint to my office about the FCA.
2. To summarise your complaint, you have said that:

Element One – the FCA have failed to provide you with the correct contact details for Firm X, therefore you have been unable to discuss your complaints with the Firm;

Element Two – the FCA have failed to act on the information you provided and have not done enough to ensure that consumer complaints are acknowledged by Firm X.

3. To resolve your complaint, you would like an apology, the FCA to contact the firm to understand who at Firm X is responsible for dealing with Discretionary Commission Arrangement (DCA) complaints, for the FCA to pay £100 compensation for continued poor service and Firm X to contact you with their correct contact details.

Decision

4. *Element One* – I agree with the FCA's decision and do not uphold this element of your complaint for the reasons set out below.
5. *Element Two* – I do not uphold this element of your complaint and consider that the FCA have acted reasonably in these circumstances and in accordance with their process.
6. In view of the above, I do not consider that any compensation is due in this instance.

202400638

Background

7. My understanding of the background to your complaint is as follows. You allege that in April 2024, you made a complaint to Firm X regarding DCA that went unanswered. You subsequently made a further complaint to the said Firm in November 2024 regarding its alleged breach of the FCA's Principle 8. You state that Firm X have failed to respond to either of your complaints.
8. You initially contacted the FCA in May 2024 to raise your concerns regarding Firm's X lack of timely acknowledgment of your DCA complaint and queried whether you should refer the issue to the Financial Ombudsman Service (FOS) or wait for a response. The FCA advised that you could do both – contact the FOS and wait for a response.
9. You then engaged with the FCA on this issue again in November 2024, advising that you still had not heard from Firm X regarding your complaints. On the 8th of November, the FCA discussed the issues with you over the phone and then followed it up with an email containing information about car finance complaints and suggesting contacting the FCA again if the Firm didn't get back to you.
10. A few days later you contacted the FCA to say that you had not had any response from the Firm and asked what you should do next. You said that it was unfair that Firm X had ignored your complaints. On the 15th of November, the FCA replied that as it happened twice, they would refer the information to the relevant team. You were also advised to liaise with the FOS about the issues. You agreed and confirmed that you would file a complaint with the FOS by the end of the month.
11. A few days later, on 22 November, the FCA confirmed that the information had been passed to the team supervising the Firm for review, however due to confidentiality restrictions, they were not able to tell you what action, if any, the FCA would take regarding the firm.
12. On the 29 November and 5 December, you emailed the FCA to say that you still had not heard from Firm X and that your understanding was that the FCA had been in touch with the Firm about the issues you raised, and you expected to be informed as to what action the FCA had taken regarding the Firm.

13. Following your call with the FCA on 6 December, the FCA provided you with a telephone number for Firm X' complaints department, which was on their FS Register, so that you may get in touch with them directly. However, later that day, you called back and advised that the contact number provided by the FCA was incorrect for the purposes of DCA complaints.

14. Dissatisfied with the outcome, on 7 December 2024, you submitted a complaint about the FCA under the Complaints Scheme. The FCA summarised your complaint as follows:

Part One – *“..you are unhappy because the FCA provided you with an incorrect point of contact for Firm X and a telephone number that was not for the correct complaints department.”*

Part Two – *“You are unhappy because you have not received confirmation that the FCA has contacted Firm X and ensured the firm responds to your DCA and service complaint.”*

15. The FCA did not uphold your complaint on the basis that *“the contact details you were given by supervision hub are the correct details for the [Firm]' complaints department, as displayed on the firm's FS Register page;”* and that the information you had provided about the firm was passed onto the relevant supervision department, however due to confidentiality restrictions, they were unable to update you on what they might do with such information. The FCA also confirmed that they are *“unable to investigate or intervene on individual cases and [they] don't have dispute resolution powers for individual complaints - this is the role of the Financial Ombudsman Service. [They]'re therefore unable to intervene on this matter on your behalf or assist you in resolving your dispute with [Firm X]”.*

My analysis

Element One

16. I have reviewed the information on the file, including your FCA complaint in which you detailed the contact number for Firm X's complaint department that the FCA had provided you with. My office then conducted a brief search of the FS register and the firm's website to verify the correspondence of the contact numbers, and I am satisfied that they match. Upon attempting to call the

number, my office was connected to the complaints department. Therefore, I agree with the FCA that the number you had been provided with by them is the correct contact number for Firm X's complaints department.

17. You have subsequently also said that in your 8th November telephone conversation with the FCA it also provided you with a named individual to contact within Firm X, and you not only dispute the FCA provided you with the wrong number (which I disagree with) but also that you could not reach the named individual who appeared not be known to the persons who answered your phone call. This is not a point which was addressed with the FCA, so it has not formed part of the investigation, however, in my view even if this was the case, the fact of the matter is that you were given a contact number to the Firm's complaints team which is sufficient for the purposes of resolving your complaint with the firm, regardless whether a specific individual there dealt with it or not.
18. If you are not satisfied with how the firm deals with your complaint, you may lodge a complaint with the FOS, who can investigate complaints about regulated firms and is the correct avenue for dealing with such issues.
19. In view of the above, I do not uphold this Element of your complaint.

Element Two

20. I understand that you find the FCA's response unsatisfactory and believe that it has not acted on your information because if it had, the Firm would have contacted you to discuss your complaints. However, as the FCA advised in its correspondence with you on 15 and 22 November 2024 and later confirmed in their decision letter, the information you had provided to the FCA was referred to the relevant department that supervises the Firm for review. At the time, you were also made aware that due to confidentiality restrictions, the FCA could not provide you any feedback on what action might be taken, if any, with respect to the Firm.
21. Furthermore, the FCA's decision letter also informed you that they are *"unable to investigate or intervene on individual cases and [they] don't have dispute resolution powers for individual complaints."*

In my view the FCA have acted reasonably and in line with their standard process. On that basis, I do not uphold this Element of your complaint.

My decision

22. I note that you are dissatisfied with my decision, however I do not uphold your complaints for the reasons I give above. In view of that, I consider that no compensation is due in the circumstances.

The Complaints Commissioner

Complaints Commissioner

28 March 2025