Complaints Commissioner

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25 September 2025

Final report by the Complaints Commissioner

Complaint number 202400771

The complaint

1. On 27 March 2025, you submitted a complaint to my office about the FCA, which can be broadly summarised as follows:

   a. **Element One:** You allege that during a phone call on 20 July 2024 with an associate from the FCA Supervision Hub, you requested to speak to a manager but were informed that none was available. However, you later became aware that the associate was, in fact, discussing your case with a manager during the call. You believe this indicates that you were not given accurate information and that your request to speak with a manager was denied, despite one being available.

      Outcome: upheld

      Element Two: You allege that during the call referred to above, the associate discriminated against you.

      Outcome: I can not make rulings under the Equality Act 2010, however, in reviewing the evidence available, I have not seen anything to suggest that you were treated in a discriminatory manner.

Background

2. This complaint is related to a previous complaint on which I issued a decision on 7th January 2025. The background to your complaint is outlined in that decision, which can be accessed here: https://frccommissioner.org.uk/wp-content/uploads/202400437-Issued-07-January-2025.-Published-06-February-2025.pdf

The complaint centres on a phone call you made to the FCA Supervision Hub on 20 July 2024. You spoke with an FCA associate, were placed on hold during the call, and then continued the conversation with her until it ended.

Analysis

Element One:

3. My understanding is that, whilst on the call to the FCA, you asked to be transferred to someone else to discuss your queries, as you felt the call handler was unable to manage the call effectively - keeping you on the line for an extended period without providing clear or concise answers. You were advised that there was no one else to assist you, only to find out later that there were other staff members who may have been able to take over the call.

4. The FCA upheld your complaint regarding the manager's availability. It apologised for the distress and inconvenience the phone calls caused you and agreed that the call handler should not have said that no other staff were available to take over the call when there were other people on duty at the time. However, the FCA did not consider a compensatory payment to be due.

5. I agree with the FCA's decision that the call handler should not have stated that no other staff member was available to take the call. Instead, they should have communicated what the FCA outlined in its decision letter—namely, that the line manager was the only person overseeing multiple staff handling various queries, making it difficult for them to take over the call.

6. Accordingly, like the FCA, I uphold this element of your complaint, and I am pleased that the FCA has apologised to you. I also recommended that the FCA provide appropriate feedback to the Supervision Hub about this incident.

7. However, I do not recommend any further remedy. Although this is a new aspect of your original complaint, it arose during a single call that has already been the subject of your previous complaint. In my earlier report, I found that this call revealed several customer service shortcomings and could have been handled better.

8. The FCA has apologised and has taken appropriate steps, including providing feedback. In my view, these measures are sufficient given the circumstances. I do not consider that this situation warrants a monetary award.

9. As I explained in my previous report, compensatory payments for distress or inconvenience are generally only appropriate when additional factors are present—such as repeated failings—which are not evident in this case given the complaint is about a single call. You have put forth a view that in fact there were two separate calls. I do not accept your view that there were two separate calls. The evidence shows there was one continuous call, during which you were placed on hold before the conversation resumed. As there was only one call, this does not amount to repeated mistakes.

10. You have subsequently pointed out that you were grieving about your late stepfather at the time you made the call and that your queries were on his behalf. I am sorry to hear about your personal circumstances, however, you did not mention your late stepfather or estate during, and spoke in the first person about the finance agreement during the call.

11. You are also of the view that "the call handler laughed and joked with her manager stating - he's one of those complaints on our system". I do not agree with you based on my reading of the transcript that the associate joked with her manager about you, and in fact, she did not refer to you as a complainant: she referred to you as "consumer credit consumers"

12. I note your view that you should be compensated because the call lasted longer while the associate spoke to a manager. However, being placed on hold for advice or clarification is a routine part of handling calls and does not in itself amount to poor service. For this reason I do not think that the additional call time justifies compensation.

Element two

13. You have alleged that in addition to customer service issues, there was also an element of discrimination against you on the part of the FCA associate.

14. In general, the Complaints Scheme is not a substitute for legal action under the Equality Act 2010, and I do not have the same powers of a court to determine whether unlawful discrimination has occurred. However, I note that, in response

to my request for evidence, you provided material which you described as evidence of discriminatory conduct, however I do not consider it to support your allegation in a meaningful or credible way. I have seen no evidence of discriminatory behaviour by the FCA associate.

15. If you remain of the view that you have been subjected to discrimination, you may wish to consider seeking legal advice or pursuing the matter through appropriate legal channels under the Equality Act 2010.

The Complaints Commissioner

Complaints Commissioner
25 September 2025