

10 September 2025

Final report by the Complaints Commissioner**Complaint number 202500149***The complaint*

1. On 24 April 2025, you submitted a complaint to my office about the FCA.
2. I understand that your complaint to the FCA covers broader points but as you have only referred the following points to me, these are the elements I am considering:

Element One - You are of the view that the FCA is the primary enforcer of the Equality Act 2010 ("EA"). You consider that the FCA pays the Equality and Human Rights Commission ("EHRC") (although you refer to European Convention on Human Rights ("**EC**HR") which I presume is a mistake) to enforce the EA on its behalf but the ultimate responsibility for enforcement remains with the FCA.

Outcome: Not upheld. The primary enforcer of the EA is the EHRC and the FCA does not pay the EHRC to enforce EA. However, the FCA also misrepresented the name of the EHRC and I recommend it apologises for this.

Element Two - You state that a UK court has ruled that FCA registered Firm Y breached the EA, and it is now required to offer a "reasonable adjustment" to ensure compliance with the EA. You suggested in court that a reasonable adjustment for a disabled person would be for Firm Y to accept a blue badge as proof of identity. You allege the UK court has ruled that it is down to the FCA to "enforce this in the UK." You are of the view that the FCA should ensure that Firm Y and other similar currency firms are complying with the court ruling.

Outcome: Not investigated. The FCA has not investigated this complaint, and I recommend it does so in the first instance. If you are not satisfied with the

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outcome once the FCA has responded, you may refer it to me for an independent investigation.

Analysis

Element One

3. In relation to Element One, the FCA has said to you that it is not the primary enforcer of the EA as that is the role EHRC and the courts.
4. The FCA appears to be mistaken in providing you with incorrect details of the organisation that is tasked with enforcing the EA. It is the Equality and Human Rights Commission (“**EHRC**”), not the European Human Rights Commission, that has a [memorandum of understanding](#) (“**MoU**”) with the FCA. There does not appear to be an organisation called the European Human Rights Commission. I also note that you have referred to the European Convention on Human Rights in your complaint to me and assume that you also meant to refer to the EHRC.
5. As set out in the MoU, the EHRC is the regulator responsible for enforcing the EA. It is not the case that “the FCA pays the European Convention on Human Rights (“ECHR”) to enforce the EA on its behalf (or vice versa)” as you state. If the FCA suspects that firms are not making reasonable adjustments for disabled people, it can share this information with the EHRC. Furthermore, the FCA has said that despite the role of the ECHR, it expects firms it regulates to adhere to other relevant legislation, including the EA. As the FCA is not the primary enforcer of the EA, I do not uphold Element One of your complaint. However, I **recommend** that the FCA apologise for misrepresenting the name of the EHRC. The FCA has accepted my recommendation.

Element Two

6. In relation to Element Two, the complaint which the FCA reviewed is slightly different from the one you have referred to me. In the complaint you submitted to the FCA you alleged that it had promised you not to add more crypto currency companies who didn’t meet the Equality Act 2010; and that it wouldn’t register any crypto currency company who didn’t have a UK office; and that it would review existing regulations which may need an amendment in Parliament.

You said you felt these promises were broken through registered Firm X's actions, and you asked the FCA to remove Firm X's registration.

7. The FCA determined that the circumstances giving rise to your complaint were known to you on 1 April 2016. As the Complaints Scheme requires complaints to be made within 12 months of when the complainant became aware of the relevant issues, and your complaint was submitted more than 12 months after that date, the FCA declined to investigate it. It concluded that the complaint was out of time and, therefore, subject to a time bar.
8. The FCA said that, in addition, "Your complaint relates to the FCA's approach to crypto currency firm regulations. This 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".
9. I do not consider that the FCA has applied the time bar appropriately, nor do I consider your complaint to relate to rule-making, but rather the enforcement of compliance with laws. Your complaint relates to the FCA's registration of Firm X, which occurred in 2024. You, therefore, cannot have been aware of the circumstances of your complaint about Firm X in 2016. As the FCA does not appear to have addressed your complaint specifically in relation to Firm X as described in paragraph 6 above, I consider that this complaint point should be investigated directly by the FCA in the first instance in accordance with the usual practice under the Complaints Scheme and I **recommend** that the FCA lifts the time bar and investigates your complaint if you wish to proceed with this complaint. The FCA has accepted my recommendation so please submit this complaint element to the FCA if you wish to do so.
10. Separately, you refer to a court case involving Firm Y, in which the judge found that Firm Y had breached the Equality Act 2010, and that it is the FCA—not the EHRC—that should enforce compliance. This is also not a complaint the FCA investigated. I have not been able to locate the case, but as this also needs to be considered by the FCA, please provide evidence of the judge's findings to the FCA, so that it can consider it as part of a separate investigation in the first instance.

The Complaints Commissioner

Complaints Commissioner

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