

19 February 2026

Final report by the Complaints Commissioner**Complaint number 202500264***The complaint*

1. On 5 June 2025, you submitted a complaint to my office about how the FCA has handled your correspondence. I have summarised your complaint as follows:

2. **Element One: FCA failures to deal with your correspondence properly**

Element One (A) – The emails you sent to the FCA Chair (“**the Chair**”) on 15 April 2024 (“**your first email**”) and 27 December 2024 (“**your third email**”) were treated as ‘complaints’ by the Executive Casework Unit (“**ECU**”) which passed them on to the Complaints Team. You had made a specific request that the FCA establish an Independent Investigation, and this was not a ‘complaint.’

Outcome: Not upheld - Your first and third emails contained several complaints about the FCA’s regulation of Collateral. One of your points was to ask the Chair to arrange compensation for investors. This is a matter that is the subject of a different complaint which is being dealt with by the FCA’s Complaints Team. I consider that the ECU was correct to pass your first and third emails to the Complaints Team which was dealing with the issues you raised.

Element One (B) – There was no confirmation or indication that the Chair personally saw or considered your first or third emails. Even if the ECU handles the Chair’s correspondence, your emails addressed a serious matter and he should have received them personally, particularly as you sent your third email after the ECU had explained how it handled letters sent to the Chair. You only received generic responses.

Outcome: Not upheld - The response you received from the FCA explained that the ECU deals with the Chair's correspondence, however it fell short of explaining whether your first or third emails were specifically read by the Chair. I consider it reasonable that the ECU handles the Chair's correspondence, often with the help of specialists. The FCA has subsequently stated that it would not be proportionate to tell members of the public if a senior leader in the FCA has read their correspondence or not. I do not consider this to be an unreasonable position on the part of the FCA.

Element One (C) – Within your first and third emails and an email sent on 2 December 2024 (“**your second email**”), you asked for an independent investigation into the FCA's regulation of Collateral, but the FCA did not provide a substantive or meaningful response.

Outcome: Upheld – The FCA did not address your question in any of its responses to you, and it should have, although the FCA has subsequently explained to me that it had decided to address your question in its response to a letter from your MP.

Element Two – In your second email you requested that the FCA issue a public statement that the FCA CEO (“**CEO**”) was wrong to comment in a BBC Radio 4 Money Box interview that the FCA had held an independent investigation into its regulation of Collateral. The FCA did not respond to this point.

Outcome: Upheld – I consider that it was unreasonable for the FCA not to respond to your point before issuing its Decision Letter, although I note it did respond after issuing its Decision Letter.

Background

3. On 15 April 2024 in your first email you wrote to the FCA, FAO the Chair, expressing dissatisfaction with the FCA's regulation of Collateral and the delay in addressing complaints, asking for compensation and an independent investigation into the FCA's regulation of Collateral.
4. On 30 April 2024 the Supervision Hub told you that your email had been passed to the Executive Casework unit (“**ECU**”) which then passed it to the Complaints Team, as it was handling the group complaint about Collateral.

5. On 13 May 2024 you emailed the FCA to ask that your email still be passed to the Chair, and that the FCA acknowledge that the Chair would be overseeing actions to resolve the matters you had raised, repeating that there should be an independent inquiry.
6. On 15 May 2024 the ECU replied to your 15 April and 13 May 2024 emails, flagging that the Chair's role was non-executive, but he is "*aware of the broad issues around Collateral (UK) Ltd.*" The ECU added that your complaints were most appropriately handled by the Complaints Team "*who will be in touch with you directly.*"
7. On 21 June 2024 the Complaints Team wrote to you, to advise that its investigation into your complaint was ongoing and it unable to provide a response. The FCA has confirmed that this email referred to the separate Collateral complaint.
8. On 2 December 2024 in your second email you wrote to the Supervision Hub regarding the BBC Radio 4 Money Box interview with the CEO, asking for clarification because the CEO had said that there had been an independent review into Collateral. You asked that the CEO issue a public statement and a statement to Money Box, "*correcting his misrepresentation of fact.*"
9. On 27 December 2024 in your third email you wrote to the Chair directly, referencing your 13 May 2024 email and the Decision Letter in the Collateral complaint, again requesting that the Chair call for an independent judge-led investigation into the FCA's regulation of Collateral. You also asserted that some complaints made by investors had not been considered in the Decision Letter on Collateral.
10. On 18 January 2025 you complained to the FCA that it had not responded to your first, second or third emails sent across eight months. You asked that the FCA provide substantive responses to every point raised in each of these emails.
11. On 14 February 2025 the FCA issued its Decision Letter:
 - a. Your first email was correctly passed to the Complaints Team, and you received an update on 21 June 2024, stating that it could not respond to your complaint while it was still investigating the group complaint.

- b. It understood your frustration at the delay in responding to your second and third emails but stated that the ECU had to handle a high volume of correspondence and would be replying soon.
12. On 24 February 2025 the ECU replied to your second and third emails:
- a. It clarified that, despite what the CEO had said during the BBC Radio 4 Money Box interview, there has not been an independent investigation and apologised to you for any confusion.
 - b. As to whether the FCA has not considered some complaints made within the Collateral complaint, it asserts that the Decision Letter grouped individual complainant allegations into four substantive allegations, so that all complaints had been addressed.
13. On 5 June 2025 you complained to my office.

Analysis

*Element One (A) - The emails you sent to the FCA Chair ("**the Chair**") on 15 April 2024 ("**your first email**") and 27 December 2024 ("**your third email**") were treated as 'complaints' by the Executive Casework Unit ("**ECU**") which passed them on to the Complaints Team. You had made a specific request that the FCA establish an Independent Investigation, and this was not a 'complaint.'*

14. Your first email included several allegations about the FCA's regulation of Collateral, including not noticing the firm's name change, allowing Collateral to make misleading promotions and failing to warn investors. You also called for full compensation for investors and an independent investigation.
15. Your third email criticised aspects of the FCA's Decision Letter on Collateral, asserting that some complaints had not been addressed, and you also called for an independent investigation.
16. I consider that both of these emails amount to complaints about what the FCA had or had not done.
17. For the above reasons, I do not uphold this element of your complaint as it was not unreasonable for the ECU to pass your emails to the Complaints Team to deal with it, given they included complaints against the FCA.

Element One (B) – There was no confirmation or indication that the Chair personally saw or considered your first or third emails. Even if the ECU handles the Chair’s correspondence, your emails addressed a serious matter and he should have received them personally, particularly as you sent your third email after the ECU had explained how it handled letters sent to the Chair. You only received generic responses.

Analysis

18. Although it did not refer to this in its Decision Letter, the FCA subsequently wrote to you on 15 May 2024 and explained that although the Chair was “*aware of the broad issues around Collateral,*” he was a non-executive and not involved in running the FCA day-to-day.
19. The ECU has been given delegated responsibility to handle correspondence on behalf of the Chair, and will liaise with colleagues with specialist knowledge in other FCA departments to ensure that correspondence is dealt with by those with the correct expertise. This could be, for example, the Supervision Hub, Revenue or the Complaints Team.
20. As to whether the Chair had read your first and third emails, evidence shows that the Chair did approve the wording of the 15 May 2024 email in response to your first email.
21. The FCA has subsequently stated that it would not be proportionate to tell members of the public if a senior leader in the FCA has read their correspondence or not. On reflection, and taking into account comments on the Preliminary Report, I agree with the FCA. When the FCA responded to you on 15 May 2024, it was made clear that the Chair had not read your correspondence, so it was not necessary for the FCA to explain this any further.
22. For the above reasons I do not uphold this element of your complaint.
23. You have subsequently asked why the ECU is the office for the FCA executive and the Chair, and question whether it can separate supporting the executive function of public narrative from the Chair’s focus on FCA accountability. You have also asked if the Chair was in possession of the full facts on Collateral before approving the 15 May 2024 email.

24. This is a new point not brought before the FCA. The Chair is a non-executive director, and you have provided no evidence to suggest that sharing the ECU with the executive directors in any way hinders his independence.
25. You have also provided no evidence to suggest that the Chair was not in possession of the full facts on Collateral. I note the ECU's 15 May 2024 email to you, where it wrote *"Our Chair and Chief Executive discuss all major issues and emerging policies through frequent and normally informal meetings – and specifically discuss any contentious matters or those likely to set significant precedent. [We] would, therefore, like to reassure you that our Chair is aware of the broad issues around Collateral (UK) Ltd."*

Element One (C) – Within each of your three emails you asked for an independent investigation into the FCA's regulation of Collateral, but the FCA did not provide a substantive or meaningful response.

Analysis

26. Evidence shows that later in February 2025, the FCA considered that, because the s.73 Financial Services Act 2012 ("**FSA**") criteria had not been satisfied, it was not obliged to carry out an independent investigation.
27. The FCA then decided not to respond to you regarding your calls for an independent investigation because MPs for certain investors in Collateral had written in, one of whom was your MP, Wera Hobhouse. In her letter of 19 February 2025 she referred to your second email, in which you asked for an independent investigation, and asked if the FCA could *"provide a response that I can share with [Mr X] regarding this issue."*
28. The FCA addressed your question within its response to Wera Hobhouse on 13 March 2025, ruling out an independent investigation. Subsequently the FCA has stated that it was reasonable to assume that your MP would pass on that response to you. However, the FCA also acknowledges that it should have told you of its decision after writing to your MP.
29. I consider the FCA should ideally have responded directly to your question, before it had responded to your MP, given that you had raised it directly with them three times.

30. I consider the FCA did not act reasonably, and for the above reasons I uphold this element of complaint.

Element Two – In your second email you requested that the FCA issue a public statement that the FCA CEO was wrong to comment in a BBC Radio 4 Money Box interview that the FCA had held an independent investigation into its regulation of Collateral.

My analysis of the issues

31. There appears no good reason why the FCA did not address your question when it replied to your second and third emails soon after issuing its Decision Letter, especially as its reply did clarify that there had not, in fact, been an independent investigation into its regulation of Collateral.

32. In the circumstances, I consider that the FCA acted unreasonably when it did not respond to your question and I uphold this element of your complaint.

33. To provide further detail on the matter of an independent investigation, the FCA had announced publicly in the BBC interview that an independent investigation into its regulation of Collateral had taken place when in fact it had not.

34. After issuing its Decision Letter the FCA subsequently wrote to you to clarify that there had not been an independent investigation and apologised to you for any confusion. In response to my queries, it has answered that it does not intend to issue a public statement given you are the only individual to raise the issue.

35. You have subsequently questioned how it can be acceptable that an incorrect public statement is allowed to stand because only one complaint was received, and ask how many complaints the FCA considers would merit a public correction.

36. My Preliminary Report concluded that, if the statement is still in the public domain and still capable of misleading, a correction or clarification is the appropriate remedy, even if only one person raised it.

37. However, after the Preliminary Report the FCA has added to its position by stating that misstatements can be made during public speaking or interview, but that publicly addressing each one was not proportionate. It has stated that

apologising to you and clarifying whether there had been an independent investigation was the most appropriate and reasonable course of action.

38. I note that the FCA has taken the step of publishing its Decision Letter on Collateral, complaints were referred to my office, and my office published an update on its investigation into Collateral in July 2025. Furthermore, after that investigation has concluded, I myself will consider whether to recommend an independent investigation into the FCA's role in the P2P sector.
39. It appears to me complainants raise the possibility of significant issues within the P2P sector. I am reviewing other complaints about P2P firms and I will write separately to the FCA to set out my concerns.
40. As I set out in my Final Report of 10 June 2025¹ on another matter involving the FCA's regulation of the P2P sector, I plan to review and publish my correspondence with the FCA and its response when I receive it, as well as my views on the matter based on that correspondence.

Other

41. In your comments on the Preliminary Report you raised several points which were not put before the FCA with respect to its investigation of its role in connection with Collateral.
42. Under the Complaints Scheme to which both the regulators, and I, are subject, it is the standard practice that you refer these questions back to the FCA for it to consider in the first instance. If your complaint is eligible under the Complaints Scheme, and you are not satisfied with the FCA response, you may refer the FCA's decision to me for an independent review under the Complaints Scheme.

The Complaints Commissioner

Complaints Commissioner

19 February 2026

¹ Reference 202400713, [202400713-Issued-10-June-2025.-Published-03-July-2025.pdf](#)