Complaints Commissioner

Office of the Complaints Commissioner
Alliance House
12 Caxton Street
London
SW1H 0QS

Tel: 020 4599 8333
E-mail: info@frccommissioner.org.uk
www.frccommissioner.org.uk

23 September 2026

Final report by the Complaints Commissioner

Complaint number 202500272

Preliminary Points

In relation to this complaint, I have issued two Preliminary Reports. These are referred to below as the first and second Preliminary Reports. This Final Report takes account of all comments made in response to both Preliminary Reports.

The complaint

1. On 9 June 2025, you submitted a complaint to my office about the Financial Conduct Authority (FCA).

2. The complaint raises four elements:

   Element One - Discriminatory Practices of Firms: You have raised concerns with the FCA over several years that online-only financial products may exclude disabled consumers, particularly people with visual impairments or conditions affecting their mobility or dexterity. You consider this exclusion to be systemic and discriminatory because it may prevent disabled consumers from accessing products offering more favourable rates or terms. In your view, the continued prevalence of these difficulties demonstrates that the FCA is not supervising firms' compliance with their obligations effectively.

   Outcome: Not upheld. However, I have recommended that the FCA continue to monitor firms' compliance relating to this and update me in 6 months on the progress made. The FCA has acknowledged the issue you raise and has a programme in place to drive change in this area and together with its monitoring plan, this seems reasonable.

Registered as a Company Limited by Guarantee in England and Wales No. 5171304 Registered Office Alliance House, 12 Caxton Street, London SW1H 0QS

Element Two - Opportunity to Confirm or Comment: You assert that you were not given a meaningful opportunity to confirm or comment on the FCA's understanding of your complaint.

Outcome: Not Upheld.

Element Three - Accessibility of Communications: You assert that the FCA's Decision Letter contained hyperlinks to websites, which were inaccessible to you, contrary to your reasonable adjustment needs.

Outcome: Upheld.

Element Four - Distress and Inconvenience (D&I) Payment: You argue that the FCA should make a D&I payment given the barriers, delays, and inconvenience caused in pursuing your complaint.

Outcome: Upheld.

Background

3. On 25 February 2025 you requested a call-back from the FCA Complaints Team. A call note dated 26 February 2025, along with an undated call recording which appears to match the call note, shows that the FCA representative collected details of the complaint (the FCA Complaint) as well as your reasonable adjustment requirements, which included communicating with you by phone and/or sending letters recorded on an ordinary CD. You were also told about the usual process the FCA follows when investigating a complaint and the SLAs within which you should receive communications from the FCA. Despite this, the FCA did not proceed with the investigation as promised but later attempted to call you again in March 2025, making several attempts within a 15-minute window, all of which were unsuccessful. The complaint was then closed on the basis that the Complaints Team was "unable to reach the complainant." No notification was sent to inform you of this closure.

4. The FCA complaint was only reopened following numerous interventions by my Office when you raised concerns with us about the FCA's lack of progress and communication. When the FCA did eventually contact you, on 7 May 2025, it captured essentially the same information that had already been provided by you in February, albeit in more detail. On this call you were told about the

standard process once more, setting out that you should receive an acknowledgement letter within five working days and a further letter within four weeks. You did receive a call to read out the FCA's acknowledgement letter but no further communications until you received the recording of the Decision Letter.

Analysis

Element One – Discriminatory Practices of Firms

5. You have repeatedly raised concerns with the FCA over several years about disabled consumers being excluded from online-only products. You assert that this exclusion is systemic and discriminatory, as it prevents disabled consumers from accessing products that may provide more favourable rates or terms. In your personal circumstances, your primary mode of communication is via telephone and you have limited ability to access in-person or online-only financial products. You provided evidence in relation to five specific firms in May 2025 to exemplify the issues experienced by disabled individuals, although you made it clear that you believe the problem is systemic across the financial system. Your complaint raises very serious issues and it is important that vulnerable consumers including those with disabilities have access to financial services.

6. The FCA reviewed the allegations against the specific firms mentioned by you. In terms of the allegations relating to these specific firms, the relevant supervisory teams for the firms considered the information provided. As the FCA outlined in its decision letter, the FCA does not generally disclose what action has been taken due to section 348 of the Financial Services and Markets Act 2000 and the FCA's confidentiality policy. Like the FCA, I am required to respect confidentiality. This means that sometimes I cannot report fully on the confidential material to which I have access. However, as part of the Complaints Scheme, I have access to all the FCA's complaints papers, including confidential material. This is so that I, as an independent person, can see whether I am satisfied that the FCA has behaved reasonably. However, having studied the FCA's records I can say that I am satisfied that the FCA has not ignored the information which you have provided, and is giving it proper

consideration regarding the five firms you referenced. Unfortunately, I cannot say any more than that, and I recognise that that will be frustrating for you.

7. In terms of the broader allegation of breaches of the Equality Act 2010 (Equality Act) with respect to systemic inaccessibility for disabled individuals to online products across all regulated firms, the FCA is not the enforcement organisation of the Equality Act 2010 (Equality Act) as the enforcement of this legislation falls within the remit of the Equality and Human Rights Commission (EHRC) and the courts. However, the FCA has its own regulatory rules and principles that authorised firms are required to follow. These firms are also expected to comply with all other applicable legislation relevant to their business activities, which includes the Equality Act. The FCA does have regulatory expectations that firms treat vulnerable consumers fairly, and a Memorandum of Understanding exists between the FCA and the EHRC, allowing for the sharing of information where there are concerns that authorised firms may not be making reasonable adjustments for disabled individuals.

8. The FCA's response to you emphasised that firms should consider accessibility when designing products and avoid unreasonable barriers.

9. The FCA highlighted that it expects firms to follow its *"Guidance for firms on the fair treatment of vulnerable customers"* (the Guidance) and treat consumers in vulnerable circumstances fairly. This Guidance is strengthened by the FCA's Consumer Duty which requires firms to deliver good outcomes for customers, including those who are vulnerable.

10. As part of this Consumer duty framework, the FCA commissioned the "*Vulnerability review: Improving understanding of the outcomes for consumers in vulnerable circumstances when engaging with financial services firms*." This research highlighted that consumers in vulnerable circumstances, particularly those with multiple characteristics of vulnerability, continued to report poor outcomes compared to other consumers. It also highlighted that they face greater barriers to accessing products. The FCA recognises the ongoing disparity in outcomes between vulnerable and non-vulnerable consumers. The FCA's work in this area encompassed the experiences of consumers with a range of vulnerability characteristics.

11. Further to this, the FCA evaluated firms' actions against the Guidance and whether the Guidance was still appropriate as part of a review published in March 2025. To support the review, the FCA also published case studies to highlight good practice and areas of improvement so that firms can learn from these examples in meeting their own obligations under the Guidance and Consumer Duty. The FCA referenced this review in its decision letter. I was previously under the impression that this did not refer to visually impaired individuals. In response, the FCA has pointed out that these case studies included specific reference to visually impaired individuals and also those who are digitally excluded which I have confirmed. Whilst this review did highlight good examples of firms being flexible and offering tailored support, the FCA identified that vulnerable consumers continued to report challenges. These areas of improvement included firms not providing accessible channels for customers and not being able to demonstrate how the needs of customers in vulnerable circumstances were embedded in their products. This review allowed the FCA to monitor how effectively firms are implementing the Guidance. As part of its next steps in response to this review, the FCA stated that:

    "To drive further improvements, we'll continue to take account of outcomes for customers in vulnerable circumstances across our Consumer Duty work with industry.

    We will also continue to engage with industry to support continuous improvement, particularly in areas that firms find more challenging when supporting customers in vulnerable circumstances."

12. You have said that the Review did not include your personal experiences. I recognise your concern that the FCA's industry review did not reflect your personal experience of disability. However, the review was intended to assess practices and outcomes across the market. It was based on evidence gathered from firms, consumer research and other stakeholders; it was not an investigation of every affected consumer's individual circumstances.

13. The absence of your particular experience does not, by itself, show that the review was flawed or that its general findings are inapplicable.

14. I also note your concern that the FCA is not acting effectively because you claim you remain unable to access certain online-only financial products across multiple firms. You consider that this demonstrates that the Guidance is ineffective, as firms are not applying it in practice. You would like the FCA to give firms more specific directions about reasonable adjustments, including the provision of telephone services, and to explain why some firms offer the adjustment you have requested while others refuse to do so. In response to both the first and the second Preliminary Report, you have provided further examples of firms which did not accommodate your reasonable adjustments.

15. Your concern raises two related but distinct issues. The first is whether firms are complying with the applicable standards effectively and implementing improvements sufficiently quickly. The second is whether the FCA should give firms more prescriptive directions about the adjustments they must offer, including requiring the provision of telephone services.

16. On the first issue, you say that firms continue to refuse the adjustments you require and that this shows the FCA is not monitoring compliance effectively. I have passed the examples you provided to the FCA and asked it to comment. The FCA has explained that, although it cannot disclose confidential information about its supervision of individual firms, it has considered the information you have provided both in terms of the specific firms you reference and your broader allegations about industry non compliance. Its view remains that its current monitoring approach is proportionate. That approach includes considering firms' complaints data, information provided by the FOS and relevant issues arising through its supervisory engagement with firms. The FCA has provided further information explaining the basis for that position. I am unable to disclose the details because they concern confidential supervisory information. However, I have considered that information and am satisfied that the FCA gave appropriate consideration both to the information about the firms you provided and your broader allegations. While your experiences are relevant and have been brought to the FCA's attention, I do not consider that the examples provided demonstrate that its overall approach to monitoring is inadequate.

17. On the second issue the FCA's position is that firms are required to meet the applicable standards and deliver appropriate outcomes, but the particular steps,

support or arrangements necessary to do so may differ between firms and according to the circumstances. While the FCA sets standards for the treatment of customers in vulnerable circumstances, those standards do not necessarily require every firm to provide the same services, support or arrangements in order to comply. Therefore, how an individual firm meets the FCA's expectations may depend on its particular circumstances, including its size, the markets in which it operates, the products and services it provides, and the characteristics and needs of its customers. This means a particular adjustment or approach may therefore be reasonable for some firms but not for others due to their particular circumstances.

18. As the supervisory authority, it is clear that the FCA has made firms aware of their obligations, which are set out clearly by the FCA and the FCA continues to monitor how firms are meeting these obligations. You may also continue to provide information to the FCA, which will review it including for the purpose of assessing whether any supervisory action is appropriate.

19. I recognise that your concerns about the treatment of vulnerable consumers in the financial services sector are sincerely held and raise important issues of public interest. However, based on the information provided, I can see that the FCA is aware of challenges where they exist and is undertaking reasonable steps to ensure firms comply with its Guidance.

20. Due to the evolving nature of this area, I **recommended** that the FCA continue monitoring how firms are meeting their obligations towards vulnerable consumers and drive continuous improvement as per the next steps it outlined at the end of the review. The FCA accepted this recommendation. In that context it made me aware that it has published an additional review on 17 September 2026, which assessed how payments and e-money firms support consumers in vulnerable circumstances and whether they are delivering good outcomes under the Consumer Duty: "Helping firms deliver better outcomes for consumers in vulnerable circumstances". The review is intended to help firms strengthen their approach and improve support for vulnerable consumers. I also recommended that the FCA should also continue to track complaints and intelligence of this nature to help inform its ongoing oversight of how firms meet their obligations towards vulnerable consumers. This could assist the FCA in

identifying any emerging patterns or risks that may warrant further consideration in the future. In the second Preliminary Report, I **asked** the FCA to update me in 6 months on the progress made to support vulnerable consumers and ensure that firms are complying with the Guidance.

21. For the reasons above I do not uphold this complaint. I note you are unhappy with this outcome and you consider that this disregards your personal experience. The outcome does not mean that there are no problems with how firms treat customers in vulnerable circumstances. The FCA recognises that challenges remain in this area. However, the issue I must determine is whether the FCA's response to those challenges is reasonable. Having reviewed the available evidence, I am satisfied that the FCA recognises the relevant concerns and continues to monitor and review firms' conduct to assess whether they are meeting their obligations.

Other

22. An additional aspect you mentioned was that you have previously referred complaints to FOS and were told by FOS that it cannot compel firms to change their business practices. You state that FOS have said that only the FCA has the powers to take action against firms. Whilst FOS decisions on individual complaints are outside the scope of the Complaints Scheme, the FCA has responded stating that FOS do engage with and, where merited, uphold complaints relating to accessibility and reasonable adjustments. Additionally, the FOS and FCA do have a Memorandum of Understanding which includes information sharing to assist the FCA in the discharge of its public functions. They also agree to communicate regularly to discuss any matters of mutual interest including any trends emerging. Therefore, whilst FOS only handles individual complaints, it does cooperate with the FCA to share information about wider trends emerging from casework. The FCA has also stated that if you share all the communications you had with FOS or provide the FOS reference numbers, it would review them.

23. In response, you have said that you consent for the FCA to obtain copies of your cases from FOS directly as you are unable to provide this information due to ongoing health difficulties. I invite the FCA to consider doing so.

Complaint handling: Elements Two, Three and Four

Element Two – Opportunity to Confirm or Comment on the Complaint Summary

24. You say you were not given a meaningful opportunity to consider or comment on the FCA's understanding of your complaint.

25. During the call on 7 May, you were advised that you would be contacted within 28 days with either a decision or a Scoping Letter setting out the FCA's understanding of your complaint, and were later told that you would receive contact confirming that understanding.

26. A call recording, undated but labelled as an "acknowledgement letter call," shows that the FCA caller read out two short complaint points, which you briefly confirmed. However, the purpose of the call was simply to acknowledge your complaint, not to confirm the substance of it. You asked the caller whether you would receive an audio copy of the letter, consistent with your reasonable adjustment needs, but the caller was unable to confirm this, and the recording was ultimately not provided.

27. The FCA has confirmed that you were not given time to reflect on its understanding of your complaint, nor were you invited to provide written or audio comment on it. Instead, the FCA stated that your complaint was "scoped within the Decision Letter." You have also told me that you would have liked to discuss the issues you raised with senior staff within the FCA.

28. This is not consistent with the FCA's standard procedure, which requires it to acknowledge a complaint within a set timeframe, issue a Scoping Letter outlining its understanding of the complaint, and allow complainants an opportunity to comment before finalising its decision. There is no such opportunity once a Decision Letter has been issued.

29. Although no formal Scoping Letter was issued, you did explain the main points of your complaint during telephone calls. The earlier complaint from February had been closed, and the issue here relates to the process followed after your new complaint was raised in May. I do not consider that referring to a call from

the earlier, closed complaint demonstrates that due process was followed for the later complaint. While the Preliminary Report refers to that call as evidence that the FCA had sufficient information to proceed, this does not address the procedural shortfall.

30. On balance, I find that the FCA did not fully follow its process and gave you the impression that further contact would be made to enable you to confirm its understanding of your complaint. However, you did have the opportunity to confirm your complaint points during the calls, and the Decision Letter invited you to respond if you had anything further to add. It also appears that the Decision Letter addressed the main issues you raised.

31. The FCA did not fully follow its standard procedure in handling your complaint and gave inconsistent information about the next steps. However, you were able to confirm your main complaint points during calls, and the Decision Letter did address the substance of your concerns. I therefore do not consider that these procedural shortcomings materially affected the outcome of your complaint. Whilst I appreciate that the opportunity to provide comment was not as extensive as you would have liked, I think the substantive elements of your complaint were captured accurately.

32. You also say that you would have liked to speak to someone senior at the FCA to discuss your concerns and that this opportunity was not offered. It is not standard procedure for senior employees of the FCA to have direct conversations with complainants. This is because the Complaints Team is best placed to deal with complaints about the FCA. Just because no one in senior was in touch with you, it does not mean that the FCA did not consider the complaint matters with the seriousness they warranted. The Complaints Team, as part of its investigation, will also liaise with the relevant internal teams. Therefore, I do not think that this represented a failing by the FCA as this is the standard procedure in the investigation of complaints.

33. Although there were some procedural irregularities in how the FCA handled your complaint, particularly in not issuing a Scoping Letter and giving inconsistent information about further contact, I do not uphold the substance of your complaint that you were denied an opportunity to comment. You were able

to confirm your complaint points during telephone discussions, and the Decision Letter invited you to respond if your concerns had been misunderstood.

Element Three – Accessibility of FCA Communications

34. The Decision Letter sent to you contained hyperlinks to websites. You had set out your reasonable adjustment requirements in the call on 26 February 2025, which the FCA recorded on its systems. Given that the crux of your complaint is that you cannot access online content, including hyperlinks in the Decision Letter was inappropriate and contrary to the FCA's own commitment to providing you with information in accessible formats.

35. The FCA has stated in its response to my previous Preliminary Report that it disagrees with this finding as the decision was issued in audio format on CD, and only one URL was read aloud and was therefore consistent with the reasonable adjustment you had requested. However, the FCA has also said it will use this feedback to review and enhance how it shares content with complainants who require adjustments. The FCA has also confirmed it is happy to provide you with the additional information contained in the URL in a format that aligns with your preferences.

36. Although the FCA's decision was communicated to you in the requested format, it references online material which it was aware you cannot access. For this reason, I **uphold** this element of the complaint.

Element Four – Distress and Inconvenience (D&I) Payment

37. You expressly requested that the FCA consider a Distress and Inconvenience (D&I) payment in recognition of the time, costs, and distress caused by the FCA's failings. These failings included the barriers you faced in raising your complaint, the delay between February and May 2025 before the FCA commenced its investigation, and the need to repeat your complaint following the intervention of my Office.

38. In its Decision Letter, the FCA apologised for the delay and acknowledged that it had missed one opportunity to attempt further contact with you. However, it failed to provide any explanation as to why a D&I payment was not considered appropriate. In my judgment, this omission was unsatisfactory. The Complaints Scheme recognises that D&I payments may be warranted in cases involving

unnecessary delay, failures to make reasonable adjustments, or circumstances in which a complainant has been obliged to involve my Office in order to have a complaint properly addressed[1].I **recommended** that the FCA consider making a compensatory payment in recognition of the compounded failings that adversely affected you. The FCA accepted this recommendation and is offering you a compensatory payment of £150 in recognition of the delays in progressing your complaint between February 2025 and May 2025, for not keeping you informed about its status, and by a further failure to convey and share information contained in the hyperlinks in the decision letter that should have been provided in an accessible format.

39. I note that you have said that the compensation should be increased following the additional delay since the original complaint was made. This payment is compensation for the handling of your original complaints during the FCA's investigation. I consider that £150 is appropriate in the circumstances of the service failings you experienced at the initial stage.

Complaints Commissioner

23 September 2026

[1] Paragraph 6.17 https://www.fca.org.uk/publication/corporate/complaints-scheme-november-2023.pdf. The information contained in the hyperlink is reproduced in Annex 1 in an accessible format.

Annex 1

6.17 If we decide that a compensatory payment is justified, we will use the payment levels below to help us to decide the appropriate amount, and to ensure consistency and transparency in our decision making. Where appropriate, a compensatory payment of this nature could be paid in addition to a payment for financial loss.

Compensatory payment levels

Level	Range	Impact
1	Up to £100	Your complaint may fall into this category if we consider that you have experienced a relatively low level of distress or inconvenience as a result of our actions or inactions. This might typically arise from a one-off incident or occurrence such as a small administrative error, or where the impact on you is of short duration. Avoidable complaint handling delays of up to 10 months will fall into this category.
2	£101-£500	Your complaint may fall into this category if we consider that you have experienced a moderate level of distress or inconvenience as a result of our actions or inactions. This might typically arise from multiple small incidents, or a single, relatively significant incident, where the impact on you was of moderate duration. Avoidable complaint handling delays over 10 months will fall into this category.
3	£501 - £1,000	Your complaint may fall into this category if we consider that you have experienced a high level of distress or inconvenience as a result of our actions or inactions. This might typically arise from a series of relatively significant failures in our processes, or an unreasonable and prolonged delay on our part, where the impact on you was of a lengthy duration.

4	£1,001 - £2,500	Your complaint may fall into this category if we consider that you have experienced a very high level of distress or inconvenience as a result of our actions or inactions. This might typically arise from a major failure in our processes or an unreasonable, prolonged and continuing delay on our part, where the impact on you was of a very lengthy duration with lasting effects.
5	Over £2,500	Your complaint may fall into this category if there are exceptional circumstances, such as where our failings or the consequences for you are unusually severe.