Complaints Commissioner

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10 July 2026

Final report by the Complaints Commissioner

Complaint number 202500476

The complaint

1. On 17 September 2025, you submitted a complaint to my office about the FCA, which I have summarised as follows:

   Element One: You did not submit the Firm Details Attestation (**"FDA"**) on behalf of your firm by the deadline of 26 October 2021 because you say you did not receive any reminders to do so. You thought this may have been due to FCA system issues connected to the transition from the Gabriel system to the Connect system. As a result, you received a Late Returns Fee (**"Late Fee"**) of £250. You asked for the Late Fee to be waived on the basis that you had not been sent reminders to complete the FDA. The FCA declined to waive the Late Fee as you had not registered your firm with the Connect system as required.

   Outcome – Not upheld. Firms are required to ensure they have systems and controls in place to ensure that they can meet their regulatory obligations, including being able to submit the FDA by the deadline. The FCA is not legally obliged to send reminders to firms to complete their returns within the deadlines set as part of the reporting schedule. The FCA may send courtesy reminders via the Connect system to be helpful. It could not do so in your case as your firm had not registered with the Connect system as required once authorised.

   Element Two: In September 2022, you received a separate Late Fee of £250 for not submitting the CCR007 Return on behalf of your firm. You say you were unable to access the required system to do so. You say that you were told by the FCA that the deadline for submission of the CCR007 would be extended, yet you were still issued with a Late Fee. When you asked the FCA to waive the Late Fee, the FCA did not consider you had exceptional circumstances for submitting the CCR007 late and did not waive the fee.

Outcome – Not upheld. I have not seen any evidence that you were told that the submission date for submitting the return had been extended. Firms are required to fulfil their regulatory obligations, which include adhering to the reporting requirements within the required deadlines.

2. Although I have not upheld your complaint, I have recommended that the FCA pay you an ex-gratia payment of £250 for distress and inconvenience in relation to the complaint-handling delays. The FCA has accepted my recommendation.

Background

3. My understanding in relation to Element One, is that you entered into correspondence with the FCA in January 2022 regarding a Late Fee you had received due to not submitting your firm's FDA by 26 October 2021. You say that you had submitted the FDA before the deadline, but the FCA Supervision Hub checked the system and confirmed to you that it had not been submitted. It needed to be submitted via the Connect system and there was no evidence that this had been done. The FCA explained to you that if you wanted the Late Fee waived, you would need to submit the FDA first.

4. You asked for assistance in submitting the FDA and the FCA sent you an email setting out instructions as to how to submit it. You then successfully submitted the FDA on 18 January 2022 (the FDA should have been submitted by 26 October 2021, so it was late) and asked for the Late Fee to be waived.

5. The FCA Late Fee Team told you that they could not waive the Late Fee because the reason that your firm had not received the reminders was because it was not registered with the Connect system. The FCA has confirmed that your firm was asked to register with the Connect system when it became authorised in January 2016. You raised a complaint with the FCA on 9 February 2022.

6. In relation to Element Two, you received a separate Late Fee for the late submission of regulatory return CCR007. It was due to be submitted on 12 September 2022, but you submitted it on 29 September 2022. You say that you spoke to the FCA and explained that you were unable to access the required

system, RegData, to submit the return. You say that you were told that the deadline for submission had been extended to 30 September 2022.

7. The FCA did not uphold your complaint as it had no evidence that you were told that the deadline would be extended to 30 September 2022. You explained that you had been away from work due to annual leave and that is why you had been unable to access the system. The FCA explained to you that firms must ensure that they are ready, willing and organised to comply with their regulatory returns. This extends to the firm having the systems and controls in place to meet its requirements, being aware of the reporting schedule and ensuring that the reporting submissions are made on time.

Analysis

8. With regards to Element One, as set out above, the FCA is not obliged to send reminders to firms to remind them to submit annual returns. Where it does so to be helpful, these courtesy reminders will be sent via the Connect system. It is a firm's responsibility, not the FCA's, to ensure on a continuing basis that it has the systems and controls to meet all requirements and standards, including its reporting requirements, as a condition of being authorised by the FCA.

9. You did not receive the reminders as your firm was not registered with the Connect system. Your firm should have been aware of this and should have been registered with the Connect system once it became authorised in January 2016. Returns that are submitted late will incur administrative fees of £250 in accordance with the FCA Handbook's Supervision Manual, at SUP 16.3.14R(1).

10. In relation to Element Two, the FCA has reviewed your emails and audio of telephone calls but could not find any evidence that it had granted you an extension to the deadline for submission of the CR007 return. I have reviewed this evidence and agree with the FCA's conclusion.

11. You have commented on the Preliminary Report and disagree with my decisions. You refer to your notes of calls you believe you held with the FCA, but you have provided no evidence of those notes. You asked the FCA to identify when calls were held and to provide you with transcripts and associated emails. The FCA has now done this.

12. The FCA has identified two calls that you made on 18 January 2022 and 19 September 2023. I have listened to both of these, and I can confirm that, during these calls, the FCA did not grant you an extension for submitting an FDA. You have not supplied any evidence to the contrary. Although you told the FCA that, in a call on 13 September 2022, you were given an extension to 30 September 2022, the FCA has no record of any such call.

13. As with Element One, the FCA explained that, as a condition of being authorised, firms need to ensure that they have the systems and controls in place to meet their reporting requirements in accordance with the relevant reporting schedule.

14. The FCA will only consider waiving or refunding a Late Fee in exceptional circumstances. The FCA did not consider that the circumstances surrounding the Late Fees under either Element One or Element Two were exceptional. I consider that, in the absence of any evidence concerning exceptional circumstances, the FCA has acted reasonably.

Decision

15. For the reasons set out above, I do not uphold Element One or Element Two of your complaint, and your firm remains liable for both Late Fees.

Complaints Handling Delay and Recommendation

16. I note that you submitted your original complaint to the FCA in February 2022 but did not receive a response. You complained to the FCA on 15 July 2025 and received a response on 29 July 2025. The FCA initially said that because you had not raised your complaint within 12 months of becoming aware about the issues you were complaining about, as required by section 2.4 of the Complaints Scheme, it would not investigate your complaint.

17. You clarified to the FCA on 1 August 2025 that you had in fact raised a complaint in February 2022, to which the FCA had not responded. The FCA then confirmed that it would investigate your complaint. It subsequently sent you its Decision Letter on 8 September 2025 confirming that it did not uphold your complaints.

18. In describing what happened with your complaint, the FCA says that on 9 February 2022, the Supervision Hub referred your complaint to the Complaints Team who did not action the referral appropriately and did not respond to your complaint. In the 8 September 2025 Decision Letter the FCA Complaints Team apologised for this oversight and any inconvenience caused to you.

19. I do not consider this is sufficient, given that it was over three years since you first complained to the FCA (in February 2022). Where there have been avoidable delays on the FCA's part in its complaint handling process, the FCA usually considers whether it should make a compensatory payment for any distress and inconvenience caused by the FCA's complaint handling delays.

20. In accordance with the FCA's table[1] of compensation for complaint handling delays, I recommended that the FCA offer you £250, as it took significantly longer than one year to respond to your complaint, in accordance with the table.

21. You have commented on my Preliminary Report and object to the level of compensation, which you consider is inadequate because of the time, effort and cost of your complaint. I do not agree with your position, and note that £250 is the highest level of compensation that the FCA will offer for delays greater than a year.

22. The FCA has accepted my recommendation. However, it has informed me that there are two additional outstanding Late Fee invoices that have not been included in this complaint, and proposes that the compensation payment should be used to offset one of those outstanding Late Fees.

23. Given that I have not seen any evidence supporting a finding of exceptional circumstances to excuse your firm from having to pay the two Late Fee invoices, I consider that this is a reasonable proposal and suggest you pay the two Late Fee invoices that form part of this complaint. If you are unhappy with this proposal, you should contact the FCA.

Other matters raised

[1] https://www.fca.org.uk/about/how-we-operate/complain-about-regulators/compensatory-payments-for-complaints-handling-delay

24. You have asked that the FCA cancels your firm's authorisation. The FCA has advised you that your firm must submit a formal application and has directed you towards guidance.

25. In your comments on the Preliminary Report you have also raised new allegations about the FCA, in addition to those concerning the Late Fees. These concern what you suggest are slow responses and poor communication during the FCA's complaints process, and improper recording of your data during calls to its helpline. On these grounds you are disputing the Late Fees and suggest that you do not intend to pay them. I do not consider that these allegations about the FCA's complaints handling have any bearing on whether or not your firm must pay the outstanding Late Fees.

The Complaints Commissioner

Complaints Commissioner
10 July 2026