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Complaints Commissioner

10 July 2026

Final report by the Complaints Commissioner

Complaint number 202500651

The complaint

1. On 29 January 2026, you submitted a complaint to my office about the FCA's oversight of the Financial Ombudsman Service (**"FOS"**). The FCA declined to investigate your complaint about its oversight of the FOS and the role of the Independent Assessor ("IA") in a decision letter issued in January 2026 on the grounds that they have been raised and addressed previously. You referred the January 2026 FCA decision to me for an independent review, and you allege that the FCA is acting in bad faith when it states that it will not investigate your concerns; that the FCA continues to fail to address longstanding concerns over the FOS' service complaint process and the role of the IA not being compliant with their statutory duties; and that the two previous Final Reports issued by the Complaints Commissioner and the Alternative Solicitor have not adequately addressed your complaints in connection to the FOS and the IA.

2. My role in this case is to decide whether the FCA should reconsider its decision not to investigate your complaint. I will not be examining the merits of the underlying complaint itself. Under the Complaints Scheme, it is normal for the FCA to review a complaint first. In this case, as they have declined to do so, my focus is whether the decision not to investigate was properly applied and whether there is a valid basis to require the FCA to revisit it.

3. **Outcome**: I do not uphold your complaint that the FCA was wrong to decline to investigate your complaint.

4. You have raised a number of concerns about the FOS and the IA over a period of several years, and have submitted a number of complaints about the FCA's

role in relation to those matters, both to the FCA and to the Complaints Commissioner/alternative solicitor.

5. The FCA has considered your concerns and has provided you with information about the extent of its statutory remit. In particular, the FCA's oversight role in relation to the FOS is limited by legislation, and the FCA has no oversight role in relation to the IA.

6. The FCA, the alternative solicitor and my office have considered the issues you have raised about the FCA's role previously and explained the limitations and I am satisfied that your concerns about the FCA's formal remit have been comprehensively addressed, and where you raised matters about the FOS which fell outside the areas which Parliament has given the FCA power to oversee, this was explained to you as was the fact that none of the matters you have raised about the IA fall within the FCA's remit.

7. I acknowledge that you continue to disagree with the conclusions reached, however, neither your disagreement nor the additional material you have now provided, including information obtained through Freedom of Information Act requests, changes the scope of the FCA's powers or extend the matters which the FCA, or my office, are able to consider.

8. The role of the FCA in connection to the FOS, and consequently the scope of any complaint about the FCA's actions or omissions in this context, is determined by Parliament. Neither further correspondence nor additional material can expand that remit.

9. I also note your view that, because a number of the matters you raised were excluded from consideration in your previous complaints, they were not investigated. I do not agree with that characterisation. A complaint can be investigated and considered, while some or all of the issues raised may be found to fall outside the relevant remit or powers of the body considering it. In this case, the FCA has considered your concerns previously about its own role and responsibilities, including whether it had acted appropriately within the scope of its statutory functions. The fact that certain matters could not be considered further because they fell outside the FCA's powers does not mean

they were not investigated; it reflects the limits of the authority Parliament has given the FCA.

Background

10. By way of background, you have written to the Chairs of the FOS and the FCA many times between 2017 and the present to complain that the FOS and the IA have failed to fulfil their public function and the FCA ‘s oversight of both is deficient. You came to this view based on your experience in bringing complaints to the FOS.

11. At various times throughout your correspondence, the FCA has told you that it would no longer communicate with you on various aspects of your complaint, because it had given you as much information as it could, and at times you felt your questions were not answered either fully or at all. At times your MP was involved in representing your complaint.

Complaint One

12. The FCA reviewed a formal complaint from you on matters associated with this and it either excluded or did not uphold the elements of your complaint in its decision letter dated 29 January 2021 (Complaint One). You referred this (and associated matters) to the alternative solicitor who issued a decision on your complaint on 31 January 2023.[1] The alternative solicitor agreed with the FCA and in which he also excluded or did not uphold elements of your complaint.

Complaint Two

13. You were not satisfied with this decision and continued to correspond with the FCA on matters related to this. This correspondence culminated in a second complaint which the FCA reviewed formally under the Complaint Scheme and on which it issued a decision letter on 22 March 2024 (Complaint Two), in which the FCA excluded or did not uphold elements of your complaint. It explained its role and remit in connection with the FOS and also explained it has no oversight role over the IA.

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[1] https://frccommissioner.org.uk/wp-content/uploads/003-Final-Report-Issued-31-January-2023.-Published-16-March-2023.pdf

14. You were not satisfied with the response and referred the complaint to my office. I reviewed your complaint and issued a Final Report in 2024 and did not uphold it. Your requested this report not to be published, and I agreed to your request.

15. I acknowledged you had submitted extremely long and detailed representations for my review, which included but are not limited to: your views on alleged operational deficiencies and systemic failures in the FOS, references to various independent reviews to which the FOS has been subjected, alleged shortcomings connected to the FOS IA role, your dissatisfaction with the FOS response to the Freedom of Information Act request you submitted to it, your dissatisfaction with the FCA's alleged refusal to undertake the actions you feel it should (which include, among other things, reviewing the FOS budget to determine value for money), or to address your queries in a satisfactory manner, or to effectively monitor the FOS, and your dissatisfaction that the alternate solicitor did not hold the FCA accountable in your previous complaint for not intervening with the FOS.

16. I said in my 2024 Final Report *"it is clear to me that there is voluminous correspondence and multiple complaint investigations on this matter, which I have read. It is not my intention to list the chronology and discussion of each and every point which has arisen during the relevant period, or to cover matters which have already been addressed in previous correspondence, or are connected to matters which have been addressed. Nor can I answer each and comment you have made."*

17. I acknowledged that there were numerous issues on which you disagreed with the FCA. I carefully considered all the correspondence with a view to determining if there is anything more I can do for you under the Complaints Scheme, because it is in everyone's interest to bring this long standing matter to a satisfactory conclusion. However, in my view, the FCA had provided you with sufficient information and in addition as part of my review, I also provided you with information that the FCA does not have a statutory obligation to monitor the "quality", consistency or fairness of FOS decisions.

Complaint Three

18. Subsequently, you continued to correspond with the FCA and the FOS and in December 2025 you brought a new formal complaint to the FCA under the Complaints Scheme regarding its oversight of the FOS and the IA (Complaint Three).

19. In January 2026 the FCA issued its Decision Letter. It concluded that it could not investigate your complaint because under s.2.11(c) of the Complaints Scheme it will not investigate a complaint when it reasonably considers that it has already responded adequately to the same complaint or a substantially similar complaint on a previous occasion.

20. You were not satisfied with the response and you submitted a complaint to me. You allege that the FCA is acting in bad faith when it states that it will not investigate your concerns about its oversight of the FOS and the role of the IA on the grounds that they have been raised and addressed previously. You allege the FCA continues to fail to address longstanding concerns over the FOS' service complaint process and the role of the IA not being compliant with their statutory duties. Separately, you allege two Final Reports issued by the Complaints Commissioner and the Alternative Solicitor have not adequately addressed your complaints.

Analysis

21. I have reviewed the correspondence you have sent me in connection with this complaint, but I will not list or respond to every point raised. I am entitled to summarise the allegations, particularly where a complaint involves numerous related issues. My responsibility is to consider all matters raised by the complainant with care. The fact that a Preliminary or Final Report presents those points in summary form does not indicate that any have been overlooked; I can confirm that I have taken all of your points into account.

22. The purpose of this decision isn't to comment on every individual point or question the parties have made, rather it's to set out the substantive issue of the complaint and my reasons for reaching a decision.

23. In its January 2026 Decision Letter the FCA told you that it would not investigate your complaint because, under 2.11(c) of the Complaints Scheme, *"we will not investigate a complaint that we reasonably consider we have already responded*

adequately to the same or a substantially similar complaint from you on a previous occasion." I consider that the FCA has acted reasonably in telling you that it will not investigate your complaints because they had addressed them or similar complaints from you before. The FCA's decision was not based on a failure to consider your concerns. Rather, it concluded that the substance of the matters you raised had already been considered and responded to through previous correspondence and decisions. The fact that some of the matters previously raised had been excluded because they fell outside the FCA's remit does not mean that your complaint was not investigated. It means that, following consideration of the issues raised, the FCA had explained why certain matters could not be taken forward within the scope of its statutory powers.

24. You have expressed dissatisfaction with how I handled your previous complaint in my Final Report issued in 2024 but I do not consider that you raise anything not already considered and I have dealt with your substantial points about that report at the time it was issued. I do not propose to revisit this matter again here.

25. I consider that both the FCA, the alternative solicitor and I myself have previously comprehensively addressed your concerns about the FCA's formal remit with respect to the FOS and the IA.

26. You point to new correspondence between you and the FOS Board which you say it will file without further action, as well as material you obtained from a Freedom of Information Act Request response.

27. However, this additional material does not change the remit of the FCA in relation to the FOS, which is set by statute, and has been explained to you previously. Additional correspondence, including material obtained through Freedom of Information Act requests, does not alter the statutory limits on the FCA's remit or extend the scope of matters that the FCA, or I, can consider. As I have explained above, the matters related to the remit of the FCA's oversight of the FOS have been considered previously.

28. You have made extensive submissions in response to the preliminary report which refer to, among other, disagreement with previous decisions by the FCA, the alternative solicitor and myself. I have considered the points you raise,

including those not expressly listed in this report. However, I am not re-examining the merits of the underlying complaint. Rather, the question is whether the FCA was entitled to decline to investigate your complaint under paragraph 2.11 (c) of the Complaints Scheme. I have carefully considered those submissions but remain of the view that they do not identify any evidence, nor any other grounds, that would warrant recommending the FCA to reconsider its decision to decline to review your complaint. This is because the role of the FCA in connection to the FOS, and consequently the scope of any complaint about the FCA's actions or omissions in this context, is determined by Parliament. Neither further correspondence nor additional material can expand that remit.

29. In conclusion I do not uphold your complaint that the FCA was wrong to decline investigating your complaint in January 2026, for the reasons set out above. I have, however, amended the report slightly for factual accuracy in response to the points you have raised. This amendment does not affect my analysis or conclusions, and my decision remains unchanged.

30. I note in passing, however, that the FCA and the FOS have recently published a joint consultation regarding modernising the redress system which you may find useful information.[2]

The Complaints Commissioner

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[2] https://www.fca.org.uk/news/press-releases/redress-system-reforms-prevent-compensation-delays-provide-predictability-needed-innovation#:~:text='These%20reforms%20mark%20a%20significant,%2C%20for%20longer%2Dterm%20products.