Complaints Commissioner

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13 July 2026

Final report by the Complaints Commissioner

Complaint number 202500666

The complaint

1. On 13 February 2026, you submitted a complaint to my office about the FCA. You have submitted two separate complaints to the FCA to which it has responded in its Decision Letters dated 3 July 2025 (**"DL1"**) and 11 February 2026 (**"DL2"**). The FCA explained that your first complaint (allegations that the Financial Ombudsman Service (**"FOS"**) was assisting a regulated bank, (**"Bank X"**) to commit fraud) was excluded under the Complaints Scheme (November 2023) as it was not in connection with the exercise of, or failure to exercise, any of the relevant FCA functions. Subsequently, the FCA informed you that your second complaint about the FOS and Bank X defrauding you of funds was excluded under paragraph 2.11(c) of the Complaints Scheme because it had already been considered. I have summarised your complaint as follows:

2. **Element One –** The FCA has failed to consider the information you provided about Bank X, Firm Y or other associated companies for withholding or providing false financial information.

3. **Outcome – Not Upheld**. The FCA considered the information you provided regarding Bank X and shared it with the relevant supervisory areas. I consider that the FCA has acted reasonably and in accordance with its procedures in relation to the information you provided about Bank X. It was also correct to tell you that it cannot intervene in FOS decisions, and that complaints about FOS decisions are excluded under the complaints Scheme. You did not raise any allegations about Firm Y or other associated companies in your complaints to the FCA, and therefore this did not form part of its review Under the Complaints Scheme, it is standard practice for the regulator to review a complaint before the

OCC does. Should you consider it appropriate to raise a complaint about Firm Y, please submit your complaint to the FCA Complaints Team in the first instance, and if you remain unhappy with the FCA's treatment of it, then you can refer the complaint to me.

4. **Element Two –** The FCA has inappropriately stated that your complaint regarding the FOS is excluded under paragraph 2.11(c) of the Complaints Scheme, and the exclusion under the Complaints Scheme should be disapplied.

5. **Outcome – Not Upheld**. The FCA has considered and reviewed your complaint allegations under your first complaint, and you have raised the same complaint allegations under your second complaint. The FCA has correctly applied the exclusion under the Complaints Scheme.

Preliminary Issues

6. It is my understanding that you are trying to resolve matters related to your late mother's estate.

7. The issues you are attempting to resolve are related to Bank X. You have so far been unsuccessful in resolving these issues and you have, as a result, raised a complaint with the FOS. I understand that the FOS completed its investigation and concluded that it had not seen any evidence of wrongdoing on the part of Bank X. You subsequently referred this decision to a FOS Ombudsman, and I understand that you have now been issued with a decision with which you are not happy with. If you are not happy with the outcome of your FOS decision you may be able to refer certain aspects of it to the FOS Independent Asessor for review. However, the ultimate determination of this complaint is not required for the purposes of this report. The reference to this FOS complaint is included solely as background context and does not influence the outcome of your complaint against the FCA.

8. It is evident that you consider yourself to have been deprived of access to your money and that this has resulted in you having no available funds. For the purposes of this report, it is not necessary to determine the precise circumstances in which this situation arose, as this background also does not affect the assessment of your complaint against the FCA.

Background

9. On 27 June 2025, you submitted your initial complaint to the FCA. You alleged that the FOS was assisting Bank X in relation to the handling of the disputed funds.

10. The FCA described your complaint as *"the FOS are assisting Bank X employees to commit fraud by withholding due processes and relaying information to the bereavement team".* You also considered that the FCA did not have appropriate checks in place to prevent fraud within the FOS and you wanted the FCA to intervene to find out who was enabling this alleged fraud.

11. The FCA issued DL1 on 3 July 2025, which explained that the Complaints Scheme did not cover complaints relating to the actions or inactions of the FOS, nor did it resolve personal complaints individuals have against their financial services providers.

12. The FCA did provide you with information about the FCA's remit in relation to FOS and explained how you could make a complaint to the internal complaints team at the FOS about the service you had received. It explained that if you have already complained to the FOS and are not satisfied with their response, you can escalate this to the Independent Assessor, who reviews complaints about the service provided by the Financial Ombudsman, (not the decision itself).

13. Additionally, the FCA provided contact information for Action Fraud if you wanted to raise your allegations about organisations committing or facilitating fraud.

14. On 19 January 2026, you raised a second complaint to the FCA. Your allegations, again, included alleged fraud being committed by Bank X and the FOS with respect to the same ongoing complaint you have at the FOS. You suggested that the FCA had allowed this to happen.

15. The FCA Complaints Team responded to your second complaint in DL2 dated 11 February 2026. It explained that your complaint was excluded under the Complaints Scheme and the FCA would not be investigating your allegations. This was because it considered your complaint to be the same or substantially similar to your first complaint (in July 2025) and the FCA considered that it had

already responded adequately to the allegations in DL1. This response was in accordance with paragraph 2.11(c) of the Complaints Scheme.

16. You were unhappy with the FCA's decision that your complaint was excluded under the Complaints Scheme in DL2 and subsequently you referred your complaint to my office.

Analysis

Element One – The FCA has failed to consider the information you provided about Bank X, Firm Y or other associated companies for withholding or providing false financial information.

17. You raised complaints to my office that the FCA has failed to investigate Bank X, Firm Y and other "associated companies". I deal with your allegation about Firm Y and "associated companies" below in this report, however, having reviewed your complaints to the regulator, whilst you have made some accusations about Bank X, it is not evident to me that you have previously requested that the FCA undertake an investigation into those accusations. Your complaint to the FCA is substantially about the FOS committing fraud.

18. Indeed, you again raised the same allegations against Bank X in your second complaint to the FCA, namely that Bank X has assisted the FOS to commit fraud.

19. Having reviewed the FCA file together with your complaints, I have made some enquiries of the FCA. They have informed me that the allegations you made about Bank X have been shared with the relevant supervisory team for Bank X for supervisory purposes and I am satisfied with how the FCA has handled the information you have provided to them as the FCA has followed its internal process. If, however, you feel that the FOS decision on your complaint against bank X raises issues about the bank which the FCA should be aware of and consider, you are able to send it to the FCA for its consideration, however, please note that if the FCA receives a copy of the final FOS report or any additional information, it will only review it for the purposes of its supervision of Bank X, and not in order to provide you with any redress or further information in relation to its supervisory work. The FCA may not be able to tell you what

action it may or may not take but it will use what you provide to inform its regulatory purposes.

20. As I have said previously in this report, the FCA cannot intervene in disputes between members of the public and financial services providers. It does not investigate individuals' personal complaints against the firms it regulates; that is the role of the FOS. That does not mean that the FCA cannot investigate concerns arising from information about individual complaints, but it investigates those in the context of considering whether or not regulatory action is justified, rather than whether or not the individual requires redress.

21. The FCA explained to you in DL1 that it did not intervene in individual complaints against firms it regulates and therefore the accusations you raised about Bank X were responded to in DL1. Therefore, I agree with the FCA to exclude your current complaint for the reasons it gives. I **do not uphold** this element of your complaint for the reasons I give above.

22. I note that you have raised issues regarding new entities, namely Firm Y and what you have termed as *"other associated entities"*, in your complaint to my office. You have not previously raised these with the FCA. It is not clear from the information you provided to what extent your allegations are eligible under the Complaints Scheme.

23. Under the Complaints Scheme, it is standard practice for the regulator to review a complaint before the OCC does. However, as stated previously, complaints in relation to the actions of a firm regulated by the FCA are not within the remit of the Complaints Scheme. Should you consider it appropriate to raise a complaint about Firm Y, please submit your complaint to the FCA Complaints Team in the first instance, and if you remain unhappy with the FCA's treatment of it, then you can refer the complaint to me.

Element Two – The FCA has inappropriately stated that your complaint regarding the FOS, is excluded under paragraph 2.11(c) of the Complaints Scheme, and the exclusion under the Complaints Scheme should be disapplied.

24. You have also raised concerns to my office about the FCA's investigation into the complaint you have raised in relation to the FOS, and you have stated that

the exclusion the FCA informed you of in DL2 should be disapplied in order for the FCA to investigate your concerns raised.

25. The concerns regarding the FOS were raised in your initial complaint to the FCA (in July 2025) to which the FCA responded in DL1. You alleged that the FOS was assisting Bank X in relation to the handling of the disputed funds and that the FCA failed to put in place appropriate checks to ensure the FOS was not acting fraudulently.

26. You raised the matter again (in January 2026) requesting that the FCA investigate the FOS for alleged fraudulent activity. You stated that the FCA had allowed staff at the FOS to defraud you and you wanted the FCA to take action against staff at the FOS who had committed fraud. The FCA correctly declined to investigate or respond to these concerns again in DL2.

27. The FCA has already considered and responded to your allegations in DL1 and has applied the exclusion under the Complaints Scheme at paragraph 2.11(c) in DL2, which provides that it will not investigate a complaint where it reasonably considers it has already responded adequately to *"the same or a substantially similar complaint"* on a previous occasion.

28. I consider, having read the FCA file and both of your complaints to the FCA, that they are, in fact, the same or substantially similar complaints.

29. In your response to the Report, you repeat a number of the concerns previously raised in your complaint. I have considered these points carefully. However, in doing so you have not identified any new evidence, information or arguments that were not already considered in reaching the findings set out in the Report.

30. To the extent that you disagree with the conclusions reached, that disagreement does not, in itself, provide a basis for changing the findings. The issues you raise have been considered in the main body of the Report, and I remain satisfied that the conclusions reached are appropriate for the reasons explained there.

31. I agree with the FCA that it has applied the exclusion correctly and has appropriately declined to investigate the same allegations for a second time. For this reason, I do not uphold this element of your complaint.

Other

32. In addition, you have raised a further new allegation in your response to the preliminary report which suggests a problem with a Subject Access Request connected with bank X. Should you wish to raise a complaint about a Subject Access Request, or indeed a response to a Freedom of Information request in connection to your financial services provider, you would likely need to raise this with the Information Commissioner's Office (the ICO). My role is limited to reviewing complaints about the FCA.

The Complaints Commissioner

Complaints Commissioner
13 July 2026