

9 September 2015

Dear Complainant,

**Complaint against the Financial Conduct Authority
Reference Number: FCA00094**

Thank you for your emails. I have now completed my review of the Financial Conduct Authority's (FCA) investigation into your complaint.

How the complaints scheme works

Under the complaints scheme, I can review the decisions of the FCA's Complaints Team. If I disagree with their decisions, I can recommend that the FCA should apologise to you, take other action to put things right, or make a payment.

As you can find full details of how I deal with complaints at www.fsc.gov.uk I do not intend to set them out fully below. If you need further information, or information in a special format, please contact my office at complaintscommissioner@fsc.gov.uk, or telephone 020 7562 5530, and we will do our best to help.

What we have done since receiving your complaint

We have now reviewed all the records you and the regulator have sent us. My decision on your complaint is explained below.

Your complaint

From your emails and the papers submitted to me by the FCA I understand that your concerns relate to the conduct of British Gas.

You complained to the FCA on 27th July about issues with the cover you perceive Mr L has under his policy with British Gas. The FCA Unfair Contracts Terms Team considered the concerns you had with British Gas but was unable to provide feedback to you because of the confidentiality requirements of s348 of the Financial Services and Markets Act 2000.

You then raised a complaint with the FCA that it would not take action against British Gas. The FCA in its letter to you of 21 August 2015 explained that it had decided that your complaint was excluded from the Complaints Scheme.

You are, I understand, looking for the FCA to investigate British Gas's behaviour.

My position

I appreciate that you are dissatisfied with British Gas. However, this Complaints Scheme was created to allow those who are unhappy with the regulators' (in your case, the FCA's) conduct to challenge the regulator without incurring the significant expenses associated with the legal process and the courts. The scheme was not designed to allow consumers who are unhappy with the conduct of a regulated firm to challenge the conduct of that firm (that is the role of the Financial Ombudsman Service). Although I can understand you would like action to be taken against British Gas, this is not something I am able to do under the Complaints Scheme.

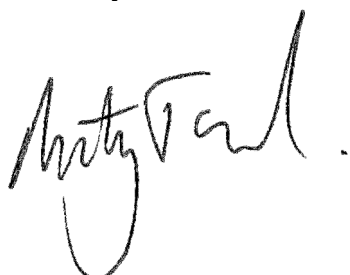
The FCA was correct to decline to investigate your complaint, since it falls outside the Scheme. The FCA has already correctly informed you that it does not deal with individual complaints against firms. If you have a dispute with a regulated firm, which British Gas is, you should approach the Financial Ombudsman Service with your complaint.

However, although the FCA concluded that it could not consider your complaint, I understand that it has tried to assist you by providing further information and referring your concerns about British Gas to the appropriate team in its Supervision Division. The FCA's Supervision Division is responsible for monitoring the conduct of regulated firms and ensuring that they comply with the FCA's rules. The FCA is a risk-based regulator and has discretion over which issues and concerns it decides to pursue. If it did decide to take any further action because of the information which you have supplied, it would not be able to provide you with any compensation or redress, and most of the actions it takes are confidential, so it is unlikely that you would receive any further information from the Supervision Division.

Conclusion

For these reasons, I am unable to help you under the Complaints Scheme. I appreciate that you will be disappointed with my decision but hope that you will understand why I have reached it.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Antony Townsend', with a large, stylized flourish at the end.

Antony Townsend
Complaints Commissioner