

14 November 2016

Dear Complainant

**Complaint against the Financial Conduct Authority
Reference Number: FCA00246**

Thank you for your email of 7 November 2016 about your complaint against the Financial Conduct Authority (FCA).

How the Complaints Scheme works

As you can find full details of how I deal with complaints at www.fsc.gov.uk I have not set them out here.

What we have done since receiving your complaint

I have reviewed all the information you and the regulator have provided us with. My decision on your complaint is explained below.

Your complaint

Your complaint against the FCA is that:

‘My complaint was against the FOS whom clearly ignored my complaint dated the 30th November 2015 under Article 6 and my subsequent Hearing at the RDC as a direct result of the FOS ignoring my complaint under Article 6, whom in turn ignored by FOS complaint and also violated my rights under Article 6 in the hearing.

I therefore ask you reassess this complaint so you have a better understanding of this breach under Articles 3 & 6 of the said act’.

The FCA declined to investigate your complaint and you then submitted it to me for an independent review.

My findings

Under the Complaints Scheme, I am unable to review complaints against the Financial Ombudsman Service (FOS). I refer you to my decision letter of 10 August 2016 in which I explained to you that it is not within my remit to review FOS decisions.

I understand that you feel that you have not been treated fairly at your RDC hearing.

However, I agree with the FCA decision letter that this is a matter dealt

with better elsewhere, such as the Upper Tribunal, and should not, therefore, be dealt with by the Complaints Scheme (see paragraph 3.6 of the Complaints Scheme rules at <http://fsc.gov.uk/complaints-scheme/>).

Conclusion

I am unable to investigate your complaint for the reasons given above. Although I understand that you are unhappy with the FCA's response to your complaint, in my view the FCA's response was reasonable, and it has provided you with an adequate explanation of the reasons for not investigating your complaint under the Scheme. I have sympathy with your circumstances, but am unable to help you further 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