

10 August 2020

Final report by the Complaints Commissioner

Complaint number FCA00757

The complaint

1. On 15 June 2020 you asked for your complaint against the FCA to be investigated.

What the complaint is about

2. The FCA summarised your complaint as follows:

You have been unable to contact a regulated firm by phone to make a PPI complaint. You have made the following complaints related to this:

Part One

You reported this matter to the FCA's Supervision Hub (the Hub). You believe the FCA failed to look into the matter.

Part Two

You are unhappy with guidance received from the Hub. You were told to complain to the Financial Ombudsman Service (FOS). You do not believe this was correct because you were making the FCA aware of a regulatory issue.

What the regulator decided

3. The FCA did not uphold your complaint. It said that
 - a. during your phone calls with the FCA Customer Contact Centre, it had been explained to you that the information you provided would be passed to the FCA Supervision team responsible for the firm but that if you wanted your individual complaint resolved you would have to approach the Financial Ombudsman Service (FOS). You were also given details of the Citizens

Advice who would be able to help you in contacting the firm or sending your complaint to the FOS.

- b. The FCA said that the FCA Supervision department had been able to get through to the firm when they called to follow up your concerns.

Why you are unhappy with the regulator's decision

4. You feel the FCA had misrepresented the telephone conversations you had with it.

My analysis

5. I have reviewed the recordings of your telephone calls and I think that the FCA decision letter provides a fair summary of what was said.
6. The FCA is correct to tell you that if you believe you have been mis-sold PPI, you should approach the FOS.
7. This Complaints Scheme is concerned with the actions or inactions of the FCA. It cannot deal with complaints against banks, individual firms or against the FOS, nor is it a redress service for individual consumer complaints. The Financial Services and Markets Act 2000 explicitly provides for a consumer redress service separated from the FCA.
8. That does not mean that the FCA cannot investigate concerns arising from information about individual complaints, but it investigates for the purpose of considering whether or not regulatory action is justified, rather than whether or not the individual requires redress. In most cases, the FCA would not be able to tell you what action, if any, it has taken against a firm, due to confidentiality reasons. I am satisfied the information you provided was properly considered by the firm's FCA Supervision Team, and you have been told that the Team did follow up your concerns.
9. If you have not been able to resolve the matter with the firm, you should approach the FOS, which will assist you in resolving your complaint.

My decision

10. I realise that you have had a frustrating experience trying to pursue your PPI claim, but for the reasons above, I cannot uphold your complaint.

11. I recognise that you are very dissatisfied with the delays you have experienced in the handling of this matter. However, the FCA has apologised to you about the delay in investigating your complaint, and offered you an ex gratia payment of £125. I consider that appropriate.

Antony Townsend

Complaints Commissioner

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