

# Chapter 1

## Treating complainants fairly

## 1.10A Complaints data publication rules

### Obligation to publish summary of complaints data or total number of complaints

#### 1.10A.1 R

- (1) Unless (1A) applies to the *firm*, where, in accordance with ■ DISP 1.10.1 R, a *firm* submits a report to the FCA reporting 500 or more *complaints*, it must publish a summary of the *complaints* data contained in that report (the *complaints* data summary).
- (1A) (a) This paragraph applies to a *firm* which:
- (i) has *permission* to carry on only *credit-related regulated activities* or to operate an *electronic system in relation to lending*; and
  - (ii) has revenue arising from those activities that is less than or equal to £5,000,000 a year.
- (aa) This paragraph also applies to a *firm* which has *permission* to carry on only:
- (i) *regulated claims management activities*; or
  - (ii) *regulated funeral plan activities*.
- (b) Where a *firm* to which this paragraph applies submits a report to the FCA in accordance with ■ DISP 1.10.1 R reporting 1000 or more *complaints*, it must publish a summary of the *complaints* data contained in that report (the *complaints* data summary).
- (2) Where, in accordance with ■ DISP 1.10.1C R, a *firm* submits a joint report on behalf of itself and other *firms* within a *group* and that report reports 500 or more *complaints*, it must publish a summary of the *complaints* data contained in the joint report (the *complaints* data summary), unless it is a *firm* to which (1A) applies.
- (3) Where, in accordance with ■ DISP 1.10.1C R, a *firm* to which (1A) applies submits a joint report on behalf of itself and other *firms* within a *group* and that report reports 1000 or more *complaints*, it must publish a summary of the *complaints* data contained in the joint report (the *complaints* data summary).
- (4) Where, in accordance with ■ SUP 16.12.4 R and ■ SUP 16.12.29C R, a *firm* with a *limited permission* submits *data item* CCR007 to the FCA reporting 1000 or more *complaints*, it must publish the total number of *complaints* received.

### Format of publication

- 1.10A.2 **R** The *complaints* data summary required by ■ DISP 1.10A.1 R must be published in the format set out in ■ DISP 1 Annex 1B R.

### Time limits for publication

- 1.10A.3 **R**
- (1) Where the *firm's* relevant reporting period (as defined in ■ DISP 1.10.4 R or ■ DISP 1.10.4A R as the case may be) ends between 1 January and 30 June, the *firm* must publish the *complaints* data summary no later than 31 August of the same year.
  - (2) Where the *firm's* relevant reporting period (as defined in ■ DISP 1.10.4 R or ■ DISP 1.10.4A R as the case may be) ends between 1 July and 31 December, the *firm* must publish the *complaints* data summary no later than 28 February of the following year.
  - (3) Where the *firm* is a *firm* with only a *limited permission* and its *accounting reference date* falls between 1 January and 30 June, the *firm* must publish the total number of *complaints* received no later than 31 August of the same year.
  - (4) Where the *firm* is a *firm* with only a *limited permission* and its *accounting reference date* falls between 1 July and 31 December, the *firm* must publish the total number of *complaints* received no later than 28 February of the following year.

### Confirmation of publication

- 1.10A.4 **R** A *firm* must immediately confirm to the *FCA* , in an email submitted to [complaintsdatasummary@fca.org.uk](mailto:complaintsdatasummary@fca.org.uk) , that the *complaints* data summary or total number of *complaints* (as appropriate) accurately reflects the report submitted to the *FCA* , that the summary or total number of *complaints* (as appropriate) has been published and where it has been published.

### Publication on behalf of the firm

- 1.10A.5 **E** A *firm* will be taken to have complied with ■ DISP 1.10A.1R (1), ■ DISP 1.10A.1R (1A) ■ (2) , ■ DISP 1.10A.1R (3) or ■ DISP 1.10A.1R (4) if within the relevant time limit set out in ■ DISP 1.10A.3 R the *firm*:
- (1) ensures that another *person* publishes the *complaints* data summary or total number of *complaints* (as appropriate) on its behalf; and
  - (2) publishes details of where this summary or total number of *complaints* (as appropriate) is published.

### Joint reports: provision of information to third party on request

- 1.10A.6 **R** Any *firm* covered by a joint report, other than the *firm* that submitted the joint report, must provide details of where the *complaints* data summary or total number of *complaints* (as appropriate) is published to any *person* who requests them.

**Mode and content of publication**

- 1.10A.7 **G** *Firms* may choose how they publish the *complaints* data summary or total number of *complaints* (as appropriate). However, the summary or total number of *complaints* (as appropriate) should be readily available. For this reason, the *FCA* recommends that *firms* should publish the summary or total number of *complaints* (as appropriate) on their websites.

- 1.10A.8 **G** [deleted]

**Meaning of revenue**

- 1.10A.9 **G** In **■ DISP 1.10A**, references to revenue in relation to any *firm* do not include the amount of any repayment of any *credit* provided by that *firm* as *lender*.

**Publication of complaints data by the FCA**

- 1.10A.10 **G**
- (1) To improve *consumer* awareness and to help *firms* compare their performance against their peers, the *FCA* publishes:
    - (a) *complaints* data about the financial services industry as a whole; and
    - (b) *firm-level complaints* data for those *firms* that are required to publish a *complaints* data summary or the total number of *complaints* (as appropriate) under **■ DISP 1.10A.1R**.
  - (2) The *FCA* also publishes *firm-level* information giving context to the *complaints* data reported to it for those *firms* that are required to publish that information under **■ DISP 1.10A.1R**.
- 1.10A.11 **G** For *firms* reporting 500 or more *complaints* under **■ DISP 1.10.1R(1)** or 1000 or more *complaints* under **■ DISP 1.10.1R(2)** in the relevant reporting period, the *FCA* will publish the *firm-level complaints* data and information providing context to the *complaints* data reported to it either:
- (1) after the *firm* provides the appropriate consent in the *complaints* data report and confirms that the reported data accurately reflects the data which it will publish under **■ DISP 1.10A.1R**; or
  - (2) after the *FCA* receives an email from the *firm* under **■ DISP 1.10A.4R** confirming that the *complaints* data summary accurately reflects the report submitted to the *FCA*, that the summary has been published and where it has been published.
- 1.10A.12 **G** For *firms* with only a *limited permission* that report *complaints* to the *FCA* under the reporting requirements in **■ SUP 16.12**, the *FCA* will publish the *firm-level complaints* data reported to it after the *FCA* receives an email from the *firm* under **■ DISP 1.10A.4R**. That email should confirm that the total number of *complaints* accurately reflects the report submitted to the *FCA* under **■ SUP 16.12**, that the total number of *complaints* has been published and where the information has been published.