

16 November 2020

Dear Caroline

I wrote to you on 15 April 2020 regarding the FCA's announcements of a range of targeted temporary measures aimed at helping consumers who may be facing significant financial difficulties in the exceptional circumstances arising from the coronavirus pandemic.

You responded to that letter on 16 April 2020 clarifying your approach to complaints which might arise from this period, confirming the Ombudsman Service does not make decisions with the benefit of hindsight, and in considering what is fair and reasonable in individual cases the Ombudsman Service will take account of the FCA's revised expectations of what constitutes compliance with its rules, guidance and standards, as well as good industry practice.

I am writing to you again following the Government's announcement of further measures to control the spread of coronavirus (Covid-19). In response, the FCA has made further temporary measures, which, as before, are designed to ensure firms can work at pace, and under difficult conditions to support their customers.

We want to continue to provide as much reassurance as possible that the Ombudsman Service will continue to consider complaints based on the circumstances at the time, to ensure that firms respond positively to our measures, and consumers get the help they need.

As such, I would be grateful if you could confirm that, in determining what is fair and reasonable in all the circumstances of the individual case, the Ombudsman will continue to take account of the operational challenges faced by firms during this period, and the FCA's revised expectations of what constitutes compliance with our rules, guidance and standards, as well as what counted as good industry practice at the time. In particular, where we issue guidance or statements of regulatory forbearance that give firms additional flexibility to help them deal with difficult conditions.

As ever, I would like to take the opportunity to thank you and your staff for your continuing collaboration with the FCA throughout these exceptional circumstances.

Yours sincerely

Sheldon Mills
Interim Executive Director of Strategy & Competition