

. DP23/5 Advice Guidance Boundary Review - proposals for closing the advice gap

Responding to the policy paper

You are asked to respond to the policy paper by completing this online response survey that lists the questions as set out in the policy paper.

The following is a link back to the paper if you need to refer back to it:

[Advice Guidance Boundary Review - proposals for closing the advice gap](#)

We recommend you review all questions before starting your response.

Click below to download an editable copy of all questions you will be asked:

[Dp235 advice guidance boundary review proposals for closing the advice gap questions](#)

Later in this survey you will be able to upload the completed document if you wish, though we recommend that you answer within this online survey where possible. You are required to complete the introductory questions about yourself or your organisation before reaching the upload page.

You will also be able to upload any data you would like to provide as part of your response.

Introduction

The Government and the FCA want to build a framework which consumers can trust, recognising the complexity faced by consumers in making financial decisions. To achieve this, we need to create a system that ensures consumers get the help they want, at a time they need it and at a cost that is affordable.

The Review gives us the opportunity to rethink the way advice and support are delivered to consumers and take advantage of new and emerging technologies to enhance consumer experiences and outcomes. Our aim is to design a regulatory system where commercially viable models of advice and support can emerge so consumers can make effective financial decisions.

What we are seeking views on

We are seeking views from a range of stakeholders on the proposals set out in the paper, how you see them working in practice, and any particular concerns that we should be aware of. We are also interested in your thoughts regarding alternative proposals to help close the advice gap.

Instructions

Questions with a * are compulsory and therefore need to be answered in order to move on in the survey.

FCA privacy notice on how we will use the data you provide in this survey:

<https://www.fca.org.uk/privacy/personal-data-and-surveys-consultations-and-market-research>

If you need to submit your response in an alternative format due to accessibility reasons, please contact us at DP23-5@fca.org.uk .

. First tell us something about your organisation or yourself

. * Respondent full name

Micky Mouse

. * Respondent contact email

Micky.mouse@fca.org.uk

Respondent type. * Are you responding on behalf of a company or organisation or as a private individual in a personal capacity?

- ☒ Company or organisation
- ☐ Private Individual, in a personal capacity

. * Please provide the following information

Name of organisation/company

Disney Corp

Your position in the organisation/company

CEO and mouse

. * Type of organisation or company

Firm type

Sector

Portfolio

. * Please specify your organisation type

This question was not displayed to the respondent.

. * Firm reference number (FRN)

123456

Response method. * Are you responding to this policy paper using this online survey or by uploading the structured template document provided?

- ☐ Uploading structured template document
- ☒ Online survey

Q20. * Would you like to upload any data as part of your response?

- ☐ Yes
- ☒ No

Q21. * Which chapters of this policy paper would you like to provide a response to? (select all that apply)

- ☒ Chapter 1: Overview
- ☒ Chapter 2: The advice gap
- ☒ Chapter 3: Further clarifying the boundary
- ☒ Chapter 4: Targeted support
- ☒ Chapter 5: Simplified advice
- ☒ Chapter 6: Other issues
- ☒ Chapter 7: Specific considerations for pension scheme trustees
- ☒ Annex 1: The existing regulatory framework

Q23. Data upload

If you are uploading any data as part of your response, please upload it here.

Please ensure you check your submission before pressing Submit as you won't be able to go back and make changes.

This question was not displayed to the respondent.

. Word template

If you are submitting your responses using the Word template provided, please upload your document here.

Please ensure you check your submission before pressing Submit as you won't be able to go back and make changes.

This question was not displayed to the respondent.

. Policy paper questions

Chapter 1. Chapter 1: Overview

1. Q1: In your view, do any of the proposals outlined in this paper adversely affect different groups of consumers and why?

No. Because all the proposals are brilliant :)

Chapter 2. **Chapter 2: The advice gap**

2. **Q2:** Is there a role for the 3 proposals (further clarifying the boundary, targeted support, and simplified advice) outlined in this paper? Could these work alongside existing forms of support? When responding, please include how the proposals would (or would not) work alongside each other.

xx

3. **Q3:** Are there are any other proposals that we should consider to help close the advice gap and how can we support the provision of more guidance? Please outline your proposal in as much detail as possible.

xx

Chapter 3. **Chapter 3: Further clarifying the boundary**

4. **Q4:** Do you think that further guidance would provide more clarity to enable firms to get closer to the boundary?

- ☒ Yes
- ☐ No

4b). What scenarios, if any, do you think could be set out in FCA guidance? Is guidance needed on the scenarios given in Chapter 3? Would there be any appropriate cases for Handbook rules rather than guidance being used?

5. **Q5:** In your view, is there value in simplifying existing guidance?

- ☒ Yes
- ☐ No

5b). If so, what are the key relevant areas of PERG and other guidance that the FCA should focus on?

Chapter 4. **Chapter 4: Targeted support**

6. **Q6:** Do you support the concept of targeted support and do you support developing a regulatory framework to deliver it?

- ☒ Yes
- ☐ No

6b). If not, why not? Are there any key features (in addition to those discussed below) that you believe targeted support should include?

7. **Q7:** What types of firms do you think would be well placed to provide targeted support?

8. **Q8:** Do you think there should be restrictions on the types of firms allowed to provide targeted support, and why?

9. **Q9:** Do you agree that the scenarios outlined are appropriate for a new targeted support regime?

- ☐ Strongly agree
- ☐ Agree

- ☐ Neutral
- ☐ Disagree
- ☐ Strongly disagree

9b). Please suggest any other specific scenarios where targeted support might be appropriate and could benefit consumers.

10. **Q10:** Do you agree with the high-level minimum requirements for a proposed new standard for targeted support?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neutral
- ☐ Disagree
- ☐ Strongly disagree

10b). Please explain your answer.

11. **Q11:** Are there any regulatory rules or guidance that apply to your firm which could impact on your ability – positively or negatively – to contact consumers and offer them targeted support?

- ☐ Yes
- ☐ No

11b). Please specify which rules and explain the impact.

12. **Q12:** Which of the 3 options for types of suggestions would be most impactful under targeted support, and why? Are there any other options we should consider?

13. **Q13:** How should communications to consumers be framed so that they can effectively understand the support they are receiving? Please give examples.

14. **Q14:** Do you agree that targeted support should not necessarily be subject to explicit charges?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neutral
- ☐ Disagree
- ☐ Strongly disagree

14b). If so, how should firms be remunerated, and why?

15. **Q15:** If you agree with Q14, what safeguards and disclosure requirements should be in place to manage any conflicts of interest arising from enabling targeted support to not be subject to explicit charges, and why?

16. **Q16:** Do you agree that there should be no limit on product and investment range or monetary value limits (beyond those applying to the Review as a whole and in the retail distribution space more generally) applied to targeted support?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neutral

- ☐ Disagree
- ☐ Strongly disagree

16b). If you disagree, what should the limits on product and investment range and monetary value be and why?

17. **Q17:** Are there any other limitations which should be imposed on targeted support?

- ☐ Yes
- ☐ No

17b). Please explain your answer.

18. **Q18:** Do you agree with the disclosure objectives for targeted support?

- ☐ Strongly agree
- ☐ Agree
- ☐ Neutral
- ☐ Disagree
- ☐ Strongly disagree

18b). Are there other factors that consumers should understand when making decisions in relation to targeted support?

19. **Q19:** Do you consider an 'outcomes based' or 'prescriptive' approach to rulemaking most appropriate in underpinning disclosures for targeted support? If a prescriptive approach is thought more appropriate, please outline what detail you would like included and why?

20. **Q20:** How should targeted support be delivered from a regulatory and legislative perspective and why? Which regulatory and legislative mechanism should be used to deliver targeted support, and why?

Chapter 5. **Chapter 5: Simplified Advice**

21. **Q21:** Do you think the scenarios outlined for consumers considering investing a lump sum or reviewing an existing investment are appropriate for a new simplified advice regime?

- ☐ Yes
- ☐ No

21b). Please suggest any other scenarios where simplified advice might be appropriate and could benefit consumers.

22. **Q22:** Do you agree that wealth accumulation products should be in scope of simplified advice, and why?

22b). Are there any wealth accumulation products that you feel should be included or excluded, and why?

23. **Q23:** Do you agree that pensions decumulation should be out of scope for simplified advice, and why?

24. **Q24:** Do you consider that a cap of £85,000 is the correct investment limit for simplified advice?

☐ Yes

☐ No

24b). If not, please suggest an alternative limit, and explain why this would be more appropriate.

25. **Q25:** Do you consider that simplified advice should allow firms to provide repeated instances of transactional advice to a customer but exclude ongoing and periodic review services?

☐ Yes

☐ No

25b). Please state the reasons for your answer.

26. **Q26:** Could including the information to be collected from a client in Handbook rules provide the legal certainty for firms to offer a simplified advice service, while still providing appropriate levels of consumer protection?

☐ Yes

☐ No

26b). How might that be delivered? Please explain your answer.

27. **Q27:** Do you have any suggestions for how to make it easier for consumers to pay for simplified advice, without undermining the changes made as part of the Retail Distribution Review?

28. **Q28:** Do you agree with our proposed Training & Competence framework for simplified advice?

28b). Do you agree that firms and advisers wishing to provide simplified advice on more than one product type should comply with the same Training & Competence standards as for holistic financial advice?

Chapter 6. **Chapter 6: Other issues**

29. **Q29:** If the proposals in this paper are taken forward, do firms consider there should be any amendments to the Dispute Resolution sourcebook to enable them to provide different levels of support.

- ☐ Yes
- ☐ No

29b). If so, please describe them.

30. **Q30:** We welcome views on whether stakeholders believe the scope of FSCS protection should include the 3 proposals in this paper, or whether FSCS protection might be more appropriate for some proposals or products than others, and why.

31.

Q31: What examples of consumer support do firms want to provide to consumers, particularly in light of our proposals, but feel they are unable to do so because of Privacy and Electronic Communications Regulations (PECR) direct marketing rules or other data protection rules? Evidence on the consumer outcome being sought and, where appropriate, reasoning for why direct marketing rather than other communications is necessary for delivering this outcome, would be welcome.

32. **Q32:** What steps could be taken to provide reassurance about the electronic communications that firms can provide to give greater consumer support, in compliance with PECR direct marketing rules? Do you consider a similar approach to the joint FCA / ICO letter on savings rates may help provide additional clarity on this?

33. **Q33:** How can we design the policy proposals to best strengthen competition in the interests of consumers? Are there any risks or perverse incentives we should be aware of? Please provide specific examples.

Chapter 7. **Chapter 7: Specific considerations for pension scheme trustees**

34. **Q34:** How do trustees feel the advice boundary restricts the support they want to give, including around decumulation, taking into account DWP's proposals?

34b). Do any other regulated activities or regulatory requirements constrain the support trustees wish to provide? Please give examples.

Annex 1. **Annex 1: Existing regulatory framework**

35. **Q35:** Are there any considerations concerning the investment advice boundary for non-authorised persons you wish to raise?

Any other feedback. Please provide any other feedback you wish to provide on this policy paper.

Executive Summary. If you would like to provide an executive summary to your response, please provide it here.

End of policy questions

. **Confidentiality**

* Do you consent to your response to this policy paper being made public?

Please select No if there are areas of your response that should be treated as confidential.

☒ Yes

☐ No

. **Market sensitivity**

* Are there areas of your response that are considered to be market sensitive?

Market Sensitive - information that if made public may impact on market prices.

☐ Yes

☒ No

. **Please tell us about your experience responding to this policy paper**

. Overall, how would you rate your experience responding to this policy paper via our new online process?

1
(Wouldn't want to use it
again)
☐

2
☐

3
(Neutral)
☒

4
☐

5
(Would happily use it again)
☐

. Please provide any comments on your experience of using this online tool, including any recommendations for improvement.

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Thank you for completing the survey.

By clicking SUBMIT, your responses will be submitted and you will not be able to return to the survey.

On submission, a summary of your responses will be provided for your records, please click 'download PDF' to download a copy of your response. You will not be able to return to this page after closing it.

If you need to make any changes, please navigate using the back button now before submitting the survey.

This question was not displayed to the respondent.