

Direct line: 020 7066 8080
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Via email

28 April 2015

Our Ref: FOI3971

Dear

Freedom of Information: Right to know request

Thank you for your request under the Freedom of Information Act 2000 (the Act), for information on qualified withdrawal notifications:

- “1. How many qualified withdrawal notifications has the FSA/FCA received in each of the past three calendar years, 2012, 2013, 2014.*
- 2. How many had their FSA/FCA approval withdrawn as a result of qualified withdrawal notifications in each of the past three calendar years, 2012, 2013, 2014.*
- 3. Is it possible to have a breakdown of why the approvals were withdrawn in each of the past three calendar years, 2012, 2013, 2014. E.g.: not fit and proper, dismissal etc. If not please just answer Q1 & 2.”*

We have now considered your request and can confirm that we hold some information falling within scope of your request and our response is below.

For point 1 please refer to the table below:

| Year | Total number of qualified withdrawal notification received |
|------|--|
| 2012 | 1294 |
| 2013 | 939 |
| 2014 | 1029 |

Please note the figures above represent the total number of individual control functions submitted to the FCA via Form Cs ('Notice of ceasing to perform controlled function') by firms, by year, with a qualified withdrawal notification. Firms make these notifications where it wishes the FCA to withdraw an individual's approved person status because:

- the firm reasonably believes that information it has obtained may affect the FCA's assessment of an approved person's fitness and propriety;
- a firm dismisses, or suspends, an approved person from its employment; or
- where an approved person resigns whilst under investigation by the firm, the FCA or any other regulatory body.

Further, following receipt of the withdrawal requests, the reason for withdrawal will be individually assessed.

Please note that our Contact Centre, who responded to your query of 6 January has asked us to point out that the figure given for 2014 above differs from the figure of 969 given in answer to point C of your query. This is because this figure relates to the total number of individual control functions submitted. This is because a firm may submit a Form C for an individual who holds more than 1 controlled function. The figure quoted for point C of your earlier request confirmed the number of Form C's submitted.

Turning now to point 2, notifications for the withdrawal of control functions (via Form Cs) all result in the withdrawal of individuals' functions. Therefore, the figures in respect of 2 are the same as for 1.

Finally turning now to point 3, we are unable to provide you with a breakdown of the reasons why applications were turned down as we do not store these reasons in an easily retrievable format. Therefore we consider that the exemption set out in section 12 (Over the cost limit) of the Act applies. Again for a more detailed explanation as to why this exemption applies please refer to Annex A, attached.

If you have any queries then please contact me.

Yours sincerely

Information Access Team

Your right to complain under the FoI Act

If you are unhappy with the decision made in relation to your request, you have the right to request an internal review. If you wish to exercise this right you should contact us within three months of the date of this response.

If you are not content with the outcome of the internal review, you also have a right of appeal to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF. Telephone: 01625 545 700. Website: www.ico.org.uk

Annex A

- **Section 12 (Costs of compliance exceeds appropriate limit)**

We are not required to comply with a request under the Act if it would be too expensive to do so, as estimated in accordance with the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (“the Regulations”) made by the Ministry of Justice. The Regulations provide that, for the FCA, the cost limit is £450, i.e. 18 hours at the rate of £25 per person per hour. The Regulations allow us to take into account, when estimating the cost of complying with a request, time spent determining whether we hold the information requested, locating and retrieving it and extracting the information from the relevant document(s).

In this instance to answer point 3 we would have to review the 3262 applications received during 2012 – 2014 to answer this point as we currently do not centrally collate this information.

In this context, it would take well in excess of 18 hours to undertake this work and would exceed the £450 limit. Since our policy is not to divert our resources from our regulatory functions in order to meet requests under the Act in excess of the cost limit, we will not be carrying out this exercise.

When we refuse a request because the appropriate limit has been exceeded, it is our general policy to provide advice and assistance to the applicant to indicate how the request could be refined or limited to come within the cost limit. However, due to the volume of information that we hold, we are unable to suggest how your request could be refined or limited to come within the cost limit. This is because any refinement that we suggest is likely to result in the same level of consideration.