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Financial Ombudsman Service
South Quay Plaza
183 Marsh Wall
London
E14 9SR

27 February 2013

Dear Mr Evans,

Changes to the dispute resolution: complaints

This is the Financial Services Consumer Panel's response to the consultation on proposed changes to DISP 3: *determination by the Ombudsman*.

DISP 3.6.6R(2) notifications in writing

The Panel agrees with the proposed amendment to remove the requirement for complainants to notify the Ombudsman of their acceptance or rejection of a determination in writing. Given the numerous communications channels that now exist, it seems sensible for consumers to be able to utilise them. That said, the Ombudsman Service needs to ensure that its guidance on the channels that can be used to notify them of their acceptance or rejection, is clearly communicated.

Late acceptances for exceptional circumstances

We agree that there will be cases when exceptional circumstances will mean that a complainant will not be able to notify the Ombudsman of their decision to accept or reject a determination by a specified date. In such cases applying an exceptional circumstances test appears to be a balanced and proportionate approach. Although it will be impossible to list all scenarios, which would constitute an exceptional circumstance, guidance on what considerations are taken into account would be useful for complainants and businesses.

Explaining the late acceptance rule to the financial business

The Panel agrees with the Financial Ombudsman Service's proposed amendment to the rule DISP 3.6.6R regarding the provision of a general description to the financial business of the late acceptance rule when the claimant is treated as having rejected the determination through a lack of response.

The Panel also agrees with the proposed rules on reports of determination and correction of clerical mistakes and procedural irregularities.

Yours sincerely,

Adam Philips

Chair

Financial Services Consumer Panel