



our ref FOI 2383

Jim Shannon MP

Sent by email only: jim.shannon1@bopenworld.com

please write to

Stakeholder team
Financial Ombudsman Service
PO Box 73208
London
E14 1QQ

dx 141280 Isle of Dogs 3
website www.financial-ombudsman.org.uk

2 November 2017

Dear Mr Shannon

your request for information

Thank you for your email of 5 October 2017, in which you asked for the following information:

'(1) As per my original request at point (10) could you for the 431 cases you identify please split that number between those which contain a break cost claim as an element in the claim and judgment

And

(2) Could you provide the case number references for the 21 cases which had an award of £75k + as I would like to better understand the ombudsman evidence mindset for fairness by selecting these cases. Unfortunately my staff are unable to locate this information easily using your search engine on the FOS database.

Finally and not necessarily an FOI, perhaps your Communication dept, our research since my letter found the attached document for me. Also Mr Andrew Bailey at the FCA was reported in the media last month recently as suggesting a broader FOS in the future would be appropriate.

Have the FOS / your past or present CEO ever made any public statements any relation to FOS scope and powers (other than in his evidence to the TSC for the SME Inquiry in 2015) and the parliamentary support necessary to achieve same. If that does exist I would be very grateful if I could receive same in the coming weeks.'

response

I've carefully considered your request and I'm pleased to share with you some of the information you've requested.

In relation to your first point, of the 431 cases that have an award over £75,000, 386 had 'break costs' as an element to the complaint.

In relation to your second point, when a complaint is brought to our service, it is given a case reference number. Because this reference number relates to a consumer and their complaint, it is considered their personal data. Information which contains the personal data of others is exempt under the Freedom of Information Act 2000 under section 40(2).

However, because of our obligation to publish all of the decisions we issue, we give each decision a unique 'decision reference number'. Out of the 21 cases that had an award of

£75,000 or over, two were made by an ombudsman. The references are DRN4910043 and DRN2007170, but I've also attached them for your convenience. Complaints that have been resolved informally without the need for an ombudsman's decision aren't published, and would therefore also constitute personal data of others.

In relation to your third point, as our jurisdiction is set by the FCA, we are generally careful about what we say publicly about any proposed extensions, as that is a question for the FCA to determine. We stand ready to do what the FCA and Parliament ask us to do. We're a flexible organisation that's used to managing a large caseload. In the last financial year we received 1,394,379 enquiries and took on 321,283 new complaints for a more detailed investigation. 4,533 of those complaints came from small businesses.

I hope that my response addresses your request; but, if you don't believe we've fully complied with the Freedom of Information Act 2000 the next steps are overleaf.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Liam Parkin', is written over the typed name and title.

Liam Parkin
Stakeholder team

email information.rights@financial-ombudsman.org.uk

if you're not satisfied with our response

If you're unhappy with our response, please contact us within two months of the date of this letter – explaining why – and asking us to carry out a review. You can contact us by email at information.rights@financial-ombudsman.org.uk or by writing to this address:

Stakeholder team
Financial Ombudsman Service
PO Box 73208
London
E14 1QQ

If you're still unhappy after we've carried out our review, you can contact the Information Commissioner's Office within three months. You can contact them at:

First Contact Team
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
SK9 5AF

phone: 0303 123 1113
email: casework@ico.org.uk
website: www.ico.org.uk/complaints