amendment to rules
(not for profit debt advice agencies)

September 2015

feedback statement

The consultation paper *amendments to rules– not for profit debt advice agencies* proposed changes to our standard terms, affecting businesses subject to our voluntary jurisdiction (VJ) in the Dispute Resolution: Complaints sourcebook (DISP) of the Financial Conduct Authority (FCA) Handbook.

In February 2015 the FCA consulted in their CP15/6 on amending DISP 1.2.2R. This proposed that, where the firm's activity does not involve a sale, not-for-profit (NFP) debt advice bodies (as defined in the FCA handbook glossary) can discharge the obligation to signpost customers to the availability of complaints information at the first point of contact orally, if they do not communicate with the customer in writing at that point. Where an NFP debt advice body has discharged the obligation orally, they must include the information in the next subsequent written communication if there is one.

The ombudsman service is responsible for making the rules for the VJ. As DISP 4.2.3 outlines that DISP 1 applies to VJ participants as part of the standard terms, we considered that we should adopt this change to DISP 1.2.2R for the VJ if the FCA proceeded to make this amendment to the DISP rules for the compulsory jurisdiction (CJ).

We consulted on these proposed changes via our website, inviting comments to reach us by 14 September 2015. We received one response to the consultation which objected to the proposed amendment, citing concerns that it would be difficult to evidence an oral communication. Responses to the FCA's consultation on this point were uniformly supportive. As the FCA still proposed to make the change for our CJ we considered it appropriate to do the same for our VJ.

Our Board passed the Instrument on 23 September 2015. The FCA Board consented to and approved these rule changes on 24 September 2015. The FCA published its feedback statement, including the final instrument, on 28 September 2015 and is available here.