

Amendments to rules (alternative dispute resolution (ADR) and pension transfers)

feedback statement

The consultation paper *amendments to rules (alternative dispute resolution (ADR) and pension transfers)*, proposed changes to our scheme rules, affecting both businesses subject to our Compulsory Jurisdiction and Voluntary Jurisdiction, in the Dispute Resolution: Complaints sourcebook (DISP) and Glossary of the Financial Conduct Authority Handbook.

ADR

We, together with the FCA, previously consulted on the ombudsman service being able to consider complaints (both 'ordinary' and consumer redress scheme complaints) 'early' – if certain criteria are met. This change to our jurisdiction has already been made in DISP 2.8.1R (4) (to come into force on 9 July 2015).

This paper proposed minor amendments to our procedural rules to take account of these changes - in DISP 3.2.2R and 3.2.2AR, to ensure uniformity across the rules.

Section 404B of the Financial Services and Markets Act 2000 now allows businesses and consumers to agree for complaints subject to a consumer redress scheme to be dealt with by the ombudsman not in accordance with the scheme rules, but by reference to what is fair and reasonable instead. We proposed changes to the definition of a '*chargeable case*' to allow us to charge for cases that fall into this category.

Pensions

In April, we consulted on changes to DISP 2.3.1R for our voluntary jurisdiction in order to bring it in line with recent changes made to the Regulated Activities Order and an emergency rule change made by the FCA to our compulsory jurisdiction.

This consultation paper proposed to amend the voluntary jurisdiction rules in line with changes which the FCA is proposing to make (including changes to the glossary of definitions and DISP 2 Annex 1G).

We consulted on these proposed changes via our website, inviting comments to reach us by 2 June 2015. We did not receive any comments or suggestions throughout the consultation period. Our board passed the Instrument on 3 June 2015.

The FCA board approved this on 2 July 2015 and these changes come into effect on 9 July 2015.