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James Aitken  
Head of Financial Regulatory Authorities Branch  
Insurance and Savings  
Financial Services Group  
HM Treasury  
1 Horse Guards Road,  
London  
SW1A 2HQ

17 June 2013

Dear James,

**Application for designation as a super-complainant under the Financial Services Act 2012**

I write to apply for Citizens Advice to be designated as a super-complainant under section 234C of the Financial Services and Markets Act 2000. This letter and attachments contains the information set out in HM Treasury's guidance for bodies seeking designation as super-complainants to the Financial Conduct Authority.

**Name and address of organisation and a contact point for correspondence**

Citizens Advice  
Myddelton House  
115-123 Pentonville Road  
London  
N1 9LZ

Contact: Sue Edwards, Partnership Intelligence Manager  
([partnershipintelligenceteam@citizensadvice.org.uk](mailto:partnershipintelligenceteam@citizensadvice.org.uk));

## **Criterion1: The body is so constituted, managed and controlled as to be expected to act independently and with complete integrity**

Citizens Advice is the trading style of the National Association of Citizens Advice Bureaux. Citizens Advice is the national membership body for Citizens Advice Bureaux in England and Wales. Together, we are the Citizens Advice service.

The Citizens Advice service provides free, independent, confidential and impartial advice to everyone on their rights and responsibilities. It values diversity, promotes equality and challenges discrimination.

The service aims:

- to provide the advice people need for the problems they face
- to improve the policies and practices that affect people's lives.

All Citizens Advice Bureaux in England and Wales are members of the National Association of Citizens Advice Bureaux (also known as Citizens Advice)

Citizens Advice sets and monitors standards for advice and governance for bureaux. It also provides bureaux with an information system, training and a range of other services. Citizens Advice also provides a national voice for the service.

In addition to the face to face, telephone and e-mail advice available through the network of CAB, Citizens Advice runs a public access web site for the provision of advice in English, Welsh, Bengali, Punjabi, Gujarati, Urdu and Chinese, [www.adviceguide.org.uk](http://www.adviceguide.org.uk).

The principal activity of Citizens Advice is the promotion of any charitable purpose for the benefit of the community in England and Wales and in particular to encourage the provision of Citizens Advice Bureaux which will provide free, confidential, independent and impartial advice, information and counsel for members of the public, and to assist the implementation of such advice, information and counsel; to ensure that adequate standards are maintained by all member bureaux; to foster and undertake research into any aspect of Citizens Advice's work and to disseminate the results of any such work.

The Citizens Advice service has its origins in 1939 as an emergency service during the Second World War and has evolved into a professional national agency.

Citizens Advice is a registered charity (no.279057) and a company limited by guarantee (no1436945). Citizens Advice is governed by its Memorandum and Articles of Association as amended in September 2004, copies of which are attached. Citizens Advice commenced operations on 1 October 1979.

For the list and CVs of our Directors, see

<http://www.citizensadvice.org.uk/index/aboutus/ourexecutivedirectors.htm>

For the list and CVs of our Trustees, see

<http://www.citizensadvice.org.uk/index/aboutus/ourtrustees.htm>. Longer CVs are also available, but we ask that these are kept confidential by HM Treasury.

We attach with this application:

- our last two annual reports, which include our accounts, including sources of funding and shareholding
- A copy of our certificate of incorporation
- A copy of confirmation of our charitable status
- A current list of the directors' and trustees' directorships, shareholdings and any other substantial interests in other companies. **Please could HM Treasury and the FCA keep this information confidential as it includes sensitive personal information.**

Citizens Advice has a trading subsidiary called Citizens Advice Limited. We deal with trading by Citizens Advice under criterion 5.

### **Criterion 2 - The body can demonstrate considerable experience and competence in representing the interests of consumers of any description**

From its earliest years, the Citizens Advice service has used the experiences of its clients to lobby for changes in legislation, policy and practices. We include with this application a history of the policy work undertaken by the Citizens Advice service and the last two years' social policy impact reports which show the breadth of policy issues we currently work on.

To date, much of our policy work has focussed on vulnerable people, but now that we have taken on the roles and functions of Consumer Focus from April 2013, we will be broadening the scope and depth of our policy to focus on more strategic issues for all consumers and be more forward-looking than currently.

We have access to legal expertise on consumer and financial services via our Information Department who write our online information system used by the public and advisers, from our Consumer Advice service and from our Specialist Support service which provides second tier consultancy and training on credit and debt issues.

### **Criterion 3: The body has the capacity to put together reasoned super-complaints on a range of issues**

Citizens Advice is a designated super-complainant under section 11 of the Enterprise Act 2002. We have submitted three super-complaints, all of which have resulted in improvements for consumers:

- Our 2002 supercomplaint on doorstep selling of all types of goods and services, *Door to door*, resulted in a change in doorstep selling law to give consumers of solicited doorstep sales cooling off and cancellation rights
- Our 2005 supercomplaint on PPI, *Protection racket*, resulted in the Competition Commission and the FSA taking action to deal with the lack of competition and consumer detriment in the sale of PPI
- Our 2011 supercomplaint on credit brokerage, *Cashing in*, resulted in new OFT regulatory guidance for credit brokers and intermediaries and improved OFT guidance for debt management firms.

Copies of the reports which constituted the supercomplaints are attached.

We are currently recruiting three economists, so we will have the in-house capacity to deal with competition and economic issues involved in super-complaint cases.

We can confirm that we will refer to the FCA's guidance on how to make a supercomplaint when this is published.

**Criterion 4: The body is ready and willing to co-operate with the Financial Conduct Authority. In particular, the body agrees to take account of any guidance issued by the FCA.**

Subject to constraints relating to individual client confidentiality and resources at any one time, we are ready and willing to co-operate with the FCA, including taking account of guidance issued by the OFT.

**Criterion 5: The fact that a body has a trading arm will not disqualify it from being designated provided that the trading arm does not control the body, and any profits of the trading arm are only used to further the stated objectives of the body and the body has established procedures to ensure that any potentials conflicts of interest are properly dealt with.**

Please find attached the last year's accounts for Citizens Advice Ltd.

We will forward the certificate of incorporation of the trading arm of Citizens Advice Ltd later this week.

We understand that trading is seen as any commercial activity designed to produce revenue for the potential super-complainant and that we would not be precluded from submitting a super-complain about any of the range of issues about which we provide our free advice service.

Criterion 6 does not apply to Citizens Advice as we represent consumers of financial services rather than small businesses.

Citizens Advice undertakes to notify the Secretary of State of any material changes to the information we have supplied, which could be relevant to the criteria for super-complainants, as laid down in the guidance document.

Yours sincerely

A handwritten signature in cursive script that reads "Sue Edwards".

Sue Edwards  
Partnership Intelligence Manager