

FSCS Terms of Engagement for CMCs and Solicitors

These terms of engagement detail how CMCs/Solicitors engage with FSCS and what FSCS will do in return.

These terms sit alongside any obligations the CMC/Solicitor's regulators have imposed and are designed to make sure that both FSCS and CMCs/Solicitors follow the relevant rules, standards and processes to ensure customers can receive the best possible service.

Making a claim to FSCS is free and those customers that can come to FSCS directly should do so. CMCs/Solicitors should ensure that existing and potential customers are aware of this.

On behalf of their customers, the CMC/Solicitor will:

1. Have a clear understanding of FSCS's coverage, remit and compensation limits.
2. Work in a professional and reasonable way with FSCS, to ensure the customer receives the best possible service. As part of this, the CMC/Solicitor will cooperate fully with improvements and efficiencies that can be made to processes.
3. Use FSCS's online claims service to provide claim updates and follow FSCS's processes and timeframes for claims and their updates. The CMC/Solicitor recognises that FSCS has the right to challenge any frivolous or vexatious claims.
4. Recognise that FSCS must always have up-to-date information and make FSCS aware as soon as possible of any changes to the CMC/Solicitor's or customer's details. This includes making FSCS aware if the customer has any vulnerabilities so FSCS can process the customer's claim appropriately to meet those needs.
5. Submit claims with sufficient supporting evidence and explain the legal elements of each claim. The CMC/Solicitor will not submit claims where they have reason to doubt the accuracy of the evidence or the integrity of the claim.
6. Accept that FSCS cannot favour any one CMC/Solicitor or customer over another.
7. Ensure each claim properly reflects the customer's individual circumstances and that the customer sets out the claim in their own words.
8. Work with FSCS in accordance with the standards and principles as set out by their regulator.
9. Carefully consider which decisions it challenges and only where it believes there is merit.
10. Learn from previous answers FSCS has provided and apply these learnings to its existing and future claims.

In return, FSCS will:

1. Recognise that the CMC/Solicitor represents, and acts in the interest of, the customer.
2. Work with the CMC/Solicitor in a professional and reasonable way and be open-minded to suggested improvements and efficiencies that can be made to processes.
3. Facilitate the submission of claims by the CMC/Solicitor via the online claims service to ensure efficient and effective claims processing.
4. Provide claim updates via the online claims service to the CMC/Solicitor and explain clearly why any claim is rejected or unable to proceed.
5. Stop processing claims where there is not enough evidence to complete our investigations, or if the CMC/Solicitor fails to respond to requests for information or clarification after being given sufficient opportunity to do so.
6. Deal with CMCs/Solicitors together if there is a common interest, where appropriate.

7. Engage with the end customer at key stages during their claim journey, as part of our mission to raise public confidence in the financial services industry.
8. Work with the regulators to ensure CMC/Solicitor behaviour meets their standards and report concerns and poor CMC/Solicitor behaviour to the relevant regulator with supporting evidence.