



Complaint Handling: Top Tips for Leasing Brokers ahead of the Supreme Court ruling.

Factsheet – July 2025

v1.0

Background

In October 2024, the [Court of Appeal](#) found in favour of the consumer in three separate claims by individuals who had purchased cars through motor dealers acting as credit brokers. The finance for the cars was provided to the consumers through third-party lenders. The lenders were required to refund the commission paid to the broker and in one instance to pay compensation to the consumer for interest paid in respect of the commission relating to the finance agreements.

An appeal against this Court of Appeal judgement was heard in the [Supreme Court](#) in April 2025- the judgement of which is due on the 1st August 2025.

To assist you with preparing for any potential impact on your complaint volumes following the outcome of the Supreme Court hearing, we have prepared some Top Tips for BVRLA members.

Top Tips:

- Make sure your teams are equipped to **recognise** a complaint **at the earliest opportunity**: a customer complaint will not always be clearly labelled as such. According to the FCA a complaint is “[any oral or written expression of dissatisfaction, whether justified or not](#)”.
- Conduct a **review of your data records**: are you clear on where they are stored, how they can be accessed and how long the relevant information has been stored for? **Put this into practice** and make sure accessing the data is as easy as it can be.
- **Review** your existing suite of Complaint Handling documents including **policies, procedures, registers and management information**.
- Understand the available options of **Alternative Dispute Resolution**. Make sure that the complaints policy includes the [BVRLA Alternative Dispute Resolution](#) and [Financial Ombudsman service](#).

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Compliance & Governance



- Ensure your website contains **up-to-date information on how customers can raise complaints**. This should include contact details, an explanation of your complaints process, and reference to the BVRLA Alternative Dispute Resolution options, including the Financial Ombudsman Service.
- Ensure all customer-facing staff are **appropriately trained**, with **consistent messaging** provided across the business.
- Prepare new, or review existing, templates for **acknowledging complaints** within 5 days of receipt.
- **Take time to separate all elements of a complaint**: a complaint might cover different areas of dissatisfaction, some relevant to the Supreme Court judgement and some not. Be aware that you may be able to respond to some items sooner than others.
- Ensure understanding of where complaints should be **referred directly to others in the distribution chain**- for example, are you aware of where your commercial agreements with your funding partners require you to refer complaints directly to them in the first instance?
- Plan for **potential changes to your wider complaint handling framework**- consider whether it may be prudent, in the event of increased volumes, to **increase the frequency** of monitoring programmes and trend analysis.

Useful Resources

[FCA definition of a Complaint](#)

[FCA DISP Rules](#)

[Cases - UK Supreme Court](#)

[BVRLA Commission Disclosure](#)

Contact

For any further queries or information on the Court of Appeal judgement on Commission Disclosure, please contact commissions@bvrla.co.uk

Version	Date	Owner	Approved by
1.0	28 th July 2025	BVRLA Compliance	Harry Madan

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