



## **Two-Yearly Report**

**2024**

**For the purposes of compliance with Regulation 11 (and Schedule 5) of The  
Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and  
Information) Regulations 2015 (as amended)**

ADR Entity Name: **Consumer Dispute Resolution Limited (trading as 'AviationADR')**

Date of Publication on ADR Entity's website: **04 July 2024**

Time Period covered in this report: **01 April 2022 – 31 March 2024**

Date submitted to the CAA: **05 July 2024**

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1. The number of disputes received by the ADR entity and the types of complaints to which the disputes related:

Eu Regulation 261 / 2004	
Complaint Type	Number of Complaints
Cancellation - Right to Care	1
Cancellation - Information	7
Cancellation - Compensation	23723
Cancellation - Refund	1778
Cancellation - Alternative Flight	11
Cancellation - Expenses	2605
Delay - Right to Care	1
Delay - Information	9
Delay - Compensation	35061
Delay - Refund	1142
Delay - Alternative Flight	4
Delay - Expenses	851
Denied Boarding - Selection for	0
Denied Boarding - Right to Care	3
Denied Boarding - Information	0
Denied Boarding - Compensation	1960
Denied Boarding - Refund	417
Denied Boarding - Alternative Flight	0
Denied Boarding - Expenses	333
Diverted	55
Downgraded	1
Article 9 (3) - Right to Care for persons with reduced mobility / unaccompanied children	4
Article 11 - Persons with reduced mobility of special needs	13
Other	9832
<b>Total</b>	<b>77811</b>

Other	
Complaint Type	Number of Complaints
Medical Issue	201
Missed connections	13
Tickets & Fares	196
In-Flight Facilities and services	77
Delayed / Damaged / Lost / Stolen Baggage	3836
Cabin Baggage	170
Safety	0
Booking Problem	666
Complaint Process	0
Schedule Changes	8
Other	8095
Total	13262

2. The percentage share of alternative dispute resolution procedures which were discontinued before an outcome was reached:

Reasons for discontinuation (As Applicable)	% Share (of all refused)
Complainant out of contact	25.58
Complaint withdrawn by complainant	7.42
Consumer is believed by the ADR entity to have provided false or fraudulent information or documents (at any stage)	2.85
The Trader has misled the ADR entity with regard to a ground that may or may not exist for refusing to accept or continue with the resolution of a dispute	0.00
The consumer has been abusive to an ADR Official of the ADR Entity	0.02
Both the consumer and trader agree, including where a conflict of interest has been identified and it is not possible for the reasons referred to in this policy to transfer the ADR procedure to another ADR entity approved by the CAA	0.87
Duplicate complaint	63.26

3. The average time taken to resolve the disputes which the ADR entity has received:

**During 2023/2024 the average time was 71 days.**

4. The rate of compliance, if known, with the outcomes of its alternative dispute resolution procedures:

### April 22 – March 23

We have experienced delays with some Airlines, in payments being made on claims. This appears to have been due to not only the volume of claims being made, but also the limited resources some Airlines had at their disposal throughout this time. We continue to chase late payments regularly and we produce a monthly report which is sent to each Airline member, as well as to the CAA.

The CAA became involved in the matter of the late payments in relation to Wizz Air claims. Following this intervention and consistent communication between Wizz Air, the CAA and AviationADR, this issue has significantly improved.

### April 2023 – March 2024

We continued to experience delays with some Airlines not making the payments due, within the specified timeframes. This appears to have been due to not only the volume of claims being made, but also the limited resources some Airlines had at their disposal throughout this time. We continue to chase late payments regularly and we produce a monthly report which is sent to each Airline member, as well as to the CAA.

The CAA has started to publish data on overdue payments and all Airlines were made aware of this prior to this practice commencing. This appears to have had a positive impact on the time taken for payments to be made. The number of claims appearing on the monthly overdue payment reports have now significantly decreased. We continue to push Airlines to make payments within the 30-day timeframe as failure to do so does cause complaints.

5. Any recommendations the ADR entity may have as to how any systematic or significant problems that occur frequently and lead to disputes between consumers and traders could be avoided or resolved in future:

The main issues that passengers were experiencing during this time period, were disruption of flights due to ground handling issues being experienced by airports around the UK. There were also issues with the time taken for Airlines to respond to claims lodged directly with them.

Airports and Airlines had previously been forced to cut resources due to the effects of the Pandemic and when air travel started to become widely accessible and desirable again, Airlines and Airports were in some cases, unable to recruit and train staff quickly enough to handle the sudden surge in flights and subsequent increase in the volume of

claims. This was a situation which had not been experienced previously and one from which lessons can be learnt.

In cases of flight cancellation, the main area of contention seems to be around rerouting and the costs incurred by the Passenger to do so, given that the Airline in many cases is unable to provide suitable rerouting options from their own programme of flights, and in most cases, is unable to secure a flight on behalf of the Passenger, with another carrier.

The process for rerouting in such situations needs to be made easier and smoother for all parties concerned.

6. Where the ADR entity is a member of any network of ADR entities which facilitates the resolution of cross-border disputes, an assessment of the effectiveness of its cooperation in that network:

AviationADR remains a member of Travel-Net, a group of ADR/NEB entities across the EU dealing with travel disputes. The group has continued to meet regularly virtually throughout the last two-year period to share best practices and to discuss the issues raised by passengers prior, during and following, the Pandemic. This network has now resumed face to face meetings and continues to be extremely effective.

7. Where the ADR entity provides training to its ADR officials, details of the training it provides:

**ADR officials attend on-line training sessions when joining AviationADR.**

Each Adjudicator is assigned to a team, and they will have consistent feedback and guidance from their Team Leader. We also have more senior Adjudicators who are 'experts' in specific areas, who are points of contact should any queries on a case arise. New Adjudicators will be monitored and provided with feedback on every case they work until we are confident that they have reached the required level of competency. During training, ADR officials attend training sessions on multiple topics, including, but not limited to the following areas:

- EU Regulation 261/2004 and Interpretive Guidelines
- Extraordinary circumstances/Causation
- Reasonable measures
- Weather reports
- EU Regulation 1107/2006
- Montreal Convention
- Decision writing and drafting skills
- Key case law

#### Ongoing training

All Adjudicators commence their employment with AviationADR with training in Delay and

Cancellation claims. They will then, further down the line, be trained in other areas such as Baggage, Denied Boarding etc.

### Quality Assurance

AviationADR continues to monitor all ADR Officials throughout their employment. We carry out quality assurance on a number of claims for each Official and provide feedback, coaching and further training where necessary.

AviationADR conducts regular team meetings, which includes case discussions and any updates in processes, procedures, and policies. This time is also used to deliver training updates.

ADR officials also have access to AviationADR policies and legal guides and receive regular updates.

8. An assessment of the effectiveness of an alternative dispute resolution procedure offered by the ADR entity and of possible ways of improving its performance:

AviationADR continues to monitor feedback provided by consumers and members, in order to use this to improve the service and systems that the Scheme offers to its members and to consumers.

- Implementation of a new portal is underway, and this will streamline the process, as well as being a much more efficient system for all parties to use.
- We regularly review our internal processes and procedures and make amendments whenever necessary.

AviationADR operates an extremely effective and efficient ADR service where; typically final decisions are published significantly quicker than the 90 days allowed under the ADR Regulations.

AviationADR continues to seek regular counsel from other stakeholders and professionals.