



Consumer Dispute Resolution

An approved alternative dispute resolution provider



BI-ANNUAL ACTIVITY REPORT TO CHARTERED TRADING
STANDARDS INSTITUTE FOR THE PERIOD JUN 2017 - MAY 19

Pursuant to The Alternative Dispute Resolution for Consumer Disputes (Competent
Authorities and Information) Regulations 2015 (As amended)

Consumer Dispute Resolution Limited
 Bi-Annual Activity Report to Chartered Trading Standards Institute
 (Jun 17- May 19) ©CDRL 2019. Not for sale or redistribution.

Dispute type	Number of complaints (Domestic)			Number of complaints (Cross-border)			Totals Accepted	
	rec'd	rejected	Accepted	rec'd	rejected	Accepted		
Not of satisfactory quality								
Electrical goods	948	500	447	17	10	8	455	
Clothing	350	166	183	140	131	10	193	
Food	163	115	48	3	2	1	49	
Other	2453	1407	1045	698	678	20	1065	
Total	3914	2188	1723	858	821	39	1762	
Not as described								
Electrical goods	792	691	101	14	11	3	104	
Clothing	959	717	242	85	76	9	251	
Food	119	107	12	2	2	0	12	
Other	263	125	138	60	59	1	139	
Total	2133	1640	493	161	148	13	506	
Late delivery								
Electrical goods	493	436	57	9	8	1	58	
Clothing	749	616	133	87	76	11	144	
Food	33	32	1	1	1	0	1	
Other	501	447	54	49	48	1	55	
Total	1776	1531	245	146	133	13	258	
Cancelled/no delivery								
Electrical goods	470	320	150	9	6	3	153	
Clothing	444	306	138	90	80	10	148	
Food	41	39	2	1	1	0	2	
Other	633	520	113	89	86	3	116	
Total	1588	1185	403	189	173	16	419	
Out of stock								
Electrical goods	263	26	237	5	3	2	239	
Clothing	500	252	248	75	66	9	257	
Food	11	8	3	1	0	1	4	
Other	766	570	196	23	17	6	202	
Total	1540	856	684	104	86	18	702	
Other								
Electrical goods	745	631	114	14	11	3	117	
Clothing	647	489	158	26	18	8	166	
Food	131	119	12	3	3	0	12	
Other	632	519	113	116	114	2	115	
Total	2155	1758	397	159	146	13	410	
Service issues								
Electrical goods	627	495	132	11	8	3	135	
Clothing	625	506	119	12	9	3	122	
Food	68	61	7	2	2	0	7	
Trade	447	193	226	14	12	0	226	
Other	881	739	142	14	12	0	142	
Total	2508	1882	626	39	31	6	632	
TOTALS	15614	11040	4571	Cross B	1656	1538	118	4689

SCHEDULE 6

a) The number of disputes received by the ADR entity and the types of complaints to which the disputes related;

15614 Total

3914 not of satisfactory quality
2133 not as described
1776 Late Delivery
1588 Cancelled/No Delivery
1540 Out of Stock
2155 Other
2508 Service Issue

b) The percentage share of alternative dispute resolution procedures which were discontinued before an outcome was reached;

32% mostly due to loss of communication with the complainant.

c) The average time taken to resolve the disputes which the ADR entity has received;

RetailADR 78 Days
UtilitiesADR 89 Days

d) The rate of compliance, if known, with the outcomes of its alternative dispute resolution procedures;

Data to confirm the rate of compliance is not currently available.

e) 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 top areas of complaint types include poor customer service, failed deliveries or purchase of out of stock goods, and satisfactory quality issues concerning repairs/replacement/refunds.

Low level or poor standards of customer service remain a repeat reason for disputes between consumers and traders, and this is seen across all three schemes. Delays, poor communication and/or improper behaviour by staff fall within this area. It is evident that consumers expectations as to what is acceptable, or a reasonable level of service is increasing, and this demand is placing difficulties on the traders to meet this expectation or fall foul of consumer being willing to move to an alternative product, provider or competitor.

Complaints regarding product repairs/replacement/refunds occur frequently. These disputes often concern the suitability of what I provided and whether this falls in line with the Consumer Rights Act 2015. We frequently adjudicate disputes that relate to a disparity of a consumers expectations against

the actual legislative requirement afforded by law.

We see numerous disputes involving engineer visits to customer's properties to diagnose and fix problems or install equipment particularly through the adjudications we make on UtilitiesADR. Common issues here are misdiagnosis of the issue, failure to repair at the first appointment and availability of parts to enable repairs. There is a lot of challenge around whether trader is entitled or afforded to repair a boiler for example in the first instance of an issue or failure or whether the consumer is entitled to reject the goods. Many of these cases show a consumer's refusal to pay the balance owed as they do not deem the install/engineer repair to be fit for purpose of a satisfactory quality.

f) 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 co-operation in that network;

CDRL does not co-operate or with other ADR entities in the way described here

g) where the ADR entity provides training to its ADR officials, details of the training it provides;

CDRL have a clear onboarding training programme for new starters to ensure they understand as an adjudicator the legislative and regulatory issues they may be assessing in a consumer dispute. In 2018 and 2019, our internal training programme has been developed and adapted to ensure the adjudicators are provided not only with the necessary legal training, but analysis skills to guarantee successful investigations during the process of their adjudications enabling them to come not only fair and reasonable but justifiable conclusions based on evidence supplied by both parties as well as utilising the balance of probability where necessary.

Training is provided both in a classroom and working environment with continuous support via our training and quality assurance teams who are responsible for the checking and certifying of adjudicators work to be of a relevant standard before signing off by the Chief Adjudicator as competent.

Not only do new starters receive training but there is continuous refresher training for existing staff to demonstrate as an ADR body we maintain regular investment in our people and they are of the right level with knowledge and expertise that are relevant in the day to day handling of a case. Our training programme consists of the Consumer Rights Act 2015, Conflict Call Handling Skills, Mediation, Arbitration modules (for those who work in arbitrator schemes), Consumer Contract Regulations, the principles of investigatory skills, application of investigatory skills, data analysis, data forensics principles, copyright or safety requirements and ADR Regulations.

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

Although CDRL can demonstrate an increase in membership or engagement with traders and the schemes we still consider there to be a low conversion rate as a result of trader's not engaging with ADR. Engagement with an ADR body is not mandatory when a complaint fails to be resolved using a company's internal complaint handling process.

The result is many disputes remain unresolved with consumers left with no redress unless seeking it via court. Most consumer are unable to afford litigation and their hope is for us as a scheme to assist. Whilst our performance to date demonstrates as an ADR entity working within many non-mandatory areas, we have been successful, it is still considered that engagement would be considerably higher if traders awareness was increased by Trading Standards and other public bodies, as to the purpose of ADR and its requirements under Civil Procedure Rules to mitigate costs.

Many consumers who are unable to gain redress through the scheme due to non-engagement of the trader, who pursue the matter to Court are faced with the necessity for compliance of the CPR to use the court mediation service, which has a failure to understand the wider picture by both parties and limitation to their issues being considered thoroughly enough, as mediation is more about diplomacy rather than each parties facts being considered to weigh up what is correct or fair and reasonable. CDRL would urge CTSI to look at ways it can improve traders awareness of the benefits of engagement.