



Two-Yearly Report

2022

**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: **10 June 2022**

Time Period covered in this report: **01 April 2020 – 31 March 2022**

Date submitted to the CAA: **10 June 2022**

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	2
Cancellation - Information	0
Cancellation - Compensation	18011
Cancellation - Refund	188
Cancellation - Alternative Flight	8
Cancellation - Expenses	37
Delay - Right to Care	0
Delay - Information	2
Delay - Compensation	16720
Delay - Refund	16
Delay - Alternative Flight	1
Delay - Expenses	19
Denied Boarding - Selection for	0
Denied Boarding - Right to Care	0
Denied Boarding - Information	0
Denied Boarding - Compensation	1460
Denied Boarding - Refund	37
Denied Boarding - Alternative Flight	0
Denied Boarding - Expenses	16
Diverted	2
Downgraded	0
Article 9 (3) - Right to Care for persons with reduced mobility / unaccompanied children	1
Article 11 - Persons with reduced mobility of special needs	8
Other	5597
Total	42125

Other	
Complaint Type	Number of Complaints
Medical Issue	3
Missed connections	2
Tickets & Fares	23
In-Flight Facilities and services	5
Delayed / Damaged / Lost / Stolen Baggage	599
Cabin Baggage	51
Safety	0
Booking Problem	54
Complaint Process	0
Schedule Changes	0
Other	809
Total	1546

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	14.53
Complaint withdrawn by complainant	32.49
Consumer is believed by the ADR entity to have provided false or fraudulent information or documents (at any stage)	10.27
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	0.00
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	0.79
Duplicate complaint	41.92

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

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

April 20 – March 21

Air China failed to adhere to some determinations issued on claims lodged against them, despite constant chasing on behalf of the claimants and this matter being raised with the CAA.

Delays experienced in payments being made by some members, because of the Pandemic and ensuing challenges faced by the Aviation Industry.

April 2021 – March 2022

Continuing issues with Air China's compliance with the Scheme and this resulted in the termination of their membership.

Delays still being experienced in settlement of claims, although this has started to improve into 2022.

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:

This has been a very difficult period for both Passengers and Airlines, with mass disruption experienced as a result of the Pandemic and ensuing restrictions placed on air travel.

The volume of cancellations and subsequent refund requests has been unprecedented and, this along with the limited resources available within the Airlines, has led to passengers waiting longer than usual to obtain their refunds.

More transparency and information on expected processing times is needed in such situations.

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 a two-week classroom-based training course when joining AviationADR. They are paired with an experienced ADR official for a period of three months before sitting a competency test. During training, ADR officials attend training sessions on the following areas:

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

Ongoing training

AviationADR conducts a one hour 'team discussion' every week, which incorporates case discussions and any updates in processes, procedures, and policies. This time is also used to conduct training. During the reporting period specific training has been provided in the following areas:

- EU Commission Covid-19 Recommendations
- Covid-19 Travel Restrictions
- Amendments to EU261/2004 to form UK261 following Brexit
- Case law updates
- Third-party reports

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.

- **Improvements to the online Portal are ongoing.**
- **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. The outcomes are used to continually improve the Scheme.