

Annual Report

*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:

AviationADR

Date of publication on ADR Entity's website: **06 June 2022**

Time period covered in this report: **01 April 2021 – 31 March 2022**

Date submitted to the CAA: **06 June 2022**

1. The number of domestic disputes and cross-border disputes the ADR Entity has received.
We received 20049 cases during this time period.

2. The types of complaints to which the domestic disputes and cross-border disputes relate:

Eu Regulation 261 / 2004	
Complaint Type	Number of Complaints
Cancellation - Right to Care	2
Cancellation - Information	0
Cancellation - Compensation	8135
Cancellation - Refund	123
Cancellation - Alternative Flight	6
Cancellation - Expenses	22
Delay - Right to Care	0
Delay - Information	1
Delay - Compensation	6765
Delay - Refund	8

Delay - Alternative Flight	1
Delay - Expenses	8
Denied Boarding - Selection for	0
Denied Boarding - Right to Care	0
Denied Boarding - Information	0
Denied Boarding - Compensation	896
Denied Boarding - Refund	31
Denied Boarding - Alternative Flight	0
Denied Boarding - Expenses	11
Diverted	0
Downgraded	0
Article 9 (3) - Right to Care for persons with reduced mobility / unaccompanied children	0
Article 11 - Persons with reduced mobility of special needs	1
Other	3155
Total	19165

EU regulation 1107 / 2006	
Complaint Type	Number of Complaints
Refusal to accept a reservation	0
Refusal to embark a passenger with a reservation	0
Pre-Notification not reordered / transmitted	0
Staff Attitude and behaviour	0
Information concerning a flight	0
Transport of mobility equipment	0
Seating	0
Seating of accompanying persons in a seat next to the PRM	0
Assistance Dogs	0
Moving to the onboard toilet	0
Damaged and Lost Mobility equipment	0
Other	0
Total	0

Other	
Complaint Type	Number of Complaints
Medical Issue	1
Missed connections	0
Tickets & Fares	4
In-Flight Facilities and services	0
Delayed / Damaged / Lost / Stolen Baggage	291
Cabin Baggage	13
Safety	0
Booking Problem	16
Complaint Process	0
Schedule Changes	0
Other	559
Total	884

3. A description of any systematic or significant problems that occur frequently and lead to disputes between consumer and traders of which the ADR Entity has become aware due to its operations as an ADR entity.

The main issues that Passengers appear to have been experiencing during this time period, relate to disruption caused by the Covid-19 Pandemic. Initially, in the form of flight cancellations, which were of course mandatory due to national lockdowns being in force, but then, were also due to ensuing travel restrictions which were put in place throughout the following months. Many claims for refunds of cancelled flights were received, due initially, to the Airlines offering only vouchers, instead of a choice between vouchers or a cash refund. There was also a large volume of claims which were lodged due to the time taken for Airlines to process the refunds due. There were then denied boarding claims lodged due to the confusion regarding the ever-changing entry requirements of different countries.

4. Any recommendations the ADR Entity may have as to how the problems referred to in '3' above could be avoided or resolved in future, to raise traders' standards and to facilitate the exchange of information and best practices.

The challenges experienced were unprecedented and therefore, many industries, including Aviation, experienced mass disruption and challenges, the likes of which they had not previously encountered. However, offering refunds in line with the applicable Regulations and also, being transparent in relation to the delays Airlines were experiencing in processing the huge volume of refunds, would have mitigated the number of claims which were brought via ADR.

5. The number of disputes which the ADR Entity has refused to deal with, and percentage share of the grounds on which the ADR Entity has declined to consider such disputes:

Total Number of disputes which the ADR Entity has refused to deal with: 2508

Grounds of Refusal (As Applicable)	% Share (of all refused)
Outside Scope	84.18
Not an Airline which is contracted to ADR Scheme	1.43
Complainant not waited for sufficient time (as per scheme rules) for airline to respond	3.59
No attempt to contact airline by complainant	7.92
Dispute frivolous / vexatious	0.00
Dispute considered by another ADR Body / Court	2.16
Over Monetary threshold	0.00
Deadlock letter / non-reply too long ago	0.00
Would impair effective operating of the ADR Entity	0.72

6. The percentage of alternative dispute resolution procedures which were discontinued for operational reasons and, if known, the reasons for the discontinuation:

Reasons for discontinuation (As Applicable)	% Share (of all refused)
Complainant out of contact	34.21
Complaint withdrawn by complainant	5.26
Consumer is believed by the ADR entity to have provided false or fraudulent information or documents (at any stage)	10.53
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	3.51
Duplicate complaint	46.49

7. The average time taken to resolve domestic disputes and cross border disputes.

During 2021/2022 the average time was 42 Days

8. The rate of compliance, if known, with the outcomes of the alternative dispute resolution procedures.

i) **Air China continued to dispute the decisions issued on a number of claims and AADR continued to pursue the payments due, on behalf of the affected passengers. Despite the matter being brought to the attention of the CAA, Air China failed to make payment on several claims. Accordingly, AADR terminated their membership of the Scheme due to non-compliance and those passengers who were still awaiting payments, were advised.**

ii) **We have experienced some 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.**

9. The co-operation, if any, of the ADR Entity within any network of ADR Entities which facilitates the resolution of cross-border disputes.

AviationADR remains a member of TravelNet, a group of ADR/NEB entities across the EU, dealing with travel disputes. The group has continued to meet regularly, albeit virtually, throughout the year, to share best practices and to discuss the issues raised by passengers, pre, during and post the Pandemic. The network continues to be extremely effective.