

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: **23 June 2021**

Time period covered in this report: **1 April 2020 – 31 March 2021**

Date submitted to the CAA: **23 June 2021**

1. The number of domestic disputes and cross-border disputes the ADR Entity has received.
 - **We received 23623 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	0
Cancellation - Information	0
Cancellation - Compensation	9876
Cancellation - Refund	65
Cancellation - Alternative Flight	2
Cancellation - Expenses	15
Delay - Right to Care	0
Delay - Information	1
Delay - Compensation	9955
Delay - Refund	8

Delay - Alternative Flight	0
Delay - Expenses	11
Denied Boarding - Selection for	0
Denied Boarding - Right to Care	0
Denied Boarding - Information	0
Denied Boarding - Compensation	564
Denied Boarding - Refund	6
Denied Boarding - Alternative Flight	0
Denied Boarding - Expenses	5
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	7
Other	2442
Total	22960

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	1
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	1

Other	
Complaint Type	Number of Complaints
Medical Issue	2
Missed connections	2
Tickets & Fares	19
In-Flight Facilities and services	5
Delayed / Damaged / Lost / Stolen Baggage	308
Cabin Baggage	38
Safety	0
Booking Problem	38
Complaint Process	0
Schedule Changes	0
Other	250
Total	662

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.

- **Flight delay: disputes around what passes the test of ‘extraordinary circumstances’ and what reasonable measures an airline is expected to take.**
- **Information provided to passengers by Airlines in light of Covid cancellations and passengers rights with regard to cash refunds or vouchers.**

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, in order to raise traders’ standards and to facilitate the exchange of information and best practices.

- **Better communications between airline head office’s claims/legal teams and ground staff.**

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: **1806**

Grounds of Refusal (As Applicable)	% Share (of all refused)
Outside Scope	64.84
Not an Airline which is contracted to ADR Scheme	2.89
Complainant not waited for sufficient time (as per scheme rules) for airline to respond	0.17
No attempt to contact airline by complainant	24.70
Dispute frivolous / vexatious	0.11
Dispute considered by another ADR Body / Court	1.72
Over Monetary threshold	0.17
Deadlock letter / non-reply too long ago	4.90
Would impair effective operating of the ADR Entity	0.50

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	16.02
Complaint withdrawn by complainant	33.78
Consumer is believed by the ADR entity to have provided false or fraudulent information or documents (at any stage)	9.54
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	0.57
Duplicate complaint	40.09

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

During 2020/2021 the average time was 73 days

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

I) Air China have failed to engage previously with the ADR process. They are now disputing decisions on claims on which a decision was issued up to two years ago. This matter has been addressed with CAA and AADR continues to pursue the payments due on behalf of the passengers.

II) We have also seen some delay in processing payments from the airlines as a result of the Pandemic and furloughing of many staff – this does, however, continue to improve.

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 is a member of TravelNet, a network of 'travel' ADR providers and NEBs across the EU. AviationADR actively participates in workshops and meetings to discuss policies, procedures and changes in law and the Aviation Industry in general.