



Consumer Dispute Resolution

An approved alternative dispute resolution provider



ANNUAL ACTIVITY REPORT TO CHARTERED TRADING STANDARDS INSTITUTE
FOR THE PERIOD JUN 2017- MAY 2018

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

INDEX

Contents

1. Introduction	3
2. Complaints dealt with/Membership.....	4
3. Statistics	4
4. Average length of ADR procedure	6
5. ADR procedures which were discontinued for operational reasons.....	7
6. Compliance with ADR outcome percentages	7
7. Co-operation with other ADR entities in relation to cross-border disputes	7

Schedules:

1. Complaint statistics in excel
2. Problems encountered in excel

1. Introduction

- 1.1 On 5th May 2015 Consumer Dispute Resolution Limited (“CDRL”), which at the time traded as “The Retail Ombudsman” was approved by Chartered Trading Standards Institute (“CTSI”), pursuant to the Alternative Dispute Resolution for Consumer Disputes Regulations 2015, as an approved provider of alternative dispute resolution services (“ADR”).
- 1.2 Following approval by CTSI in 2015, CDRL operates the following ADR schemes :
 - 1.2.1 RetailADR
 - 1.2.2 AviationADR
 - 1.2.3 UtilitiesADR
 - 1.2.4 CommsADR
 - 1.2.5 Consumer Arbitration
- 1.3 In June 2017 CDRL ceased to run its ‘retail’ scheme as an ‘ombudsman’ and as a consequence rebranded the scheme to ‘RetailADR’.
- 1.4 RetailADR and UtilitiesADR fall within the CTSI approval and therefore form part of this annual activity report. AviationADR is approved by the Civil Aviation Authority and CommsADR is approved by Ofcom. These schemes are therefore subject to separate reporting direct to the applicable competent authorities.
- 1.5 RetailADR provides ADR in respect of unresolved disputes between consumers and:
 - Retailers (in relation to purchases online and instore)
 - Hotels and leisure providers
 - Restaurants
 - Airport lounges
 - Funeral directors
 - Health & Beauty services
 - Florists
- 1.6 UtilitiesADR provides ADR in respect of ‘non-regulated’ unresolved disputes between consumers and:
 - Supply of home fuels (ie: oil and LPG)
 - British Gas
 - Npower
 - EON
 - SSE

Note: complaints in relation to regulated activities (ie: the actual supply of energy) are dealt with by Ombudsman Services: Energy.

Domestic complaints – service issues:

1.7 Consumer arbitration provides ADR in respect of unresolved disputes between consumers and:

- Retailers (in relation to purchases online and instore)
- Hotels and leisure providers
- Restaurants
- Airport lounges
- Funeral directors
- Health & Beauty services
- Florists

1.8 For the purposes of the remainder of this annual activity report, reference to CDRL is referring to RetailADR, UtilitiesADR and Consumer Arbitration

2. Complaints dealt with/Membership

2.1 CDRL deals with complaints in relation to members and non-members.

2.2 In relation to complaints received about non-members, CDRL deals with such complaints where the non-member trader agrees to engage with CDRL and abide by its scheme rules in relation to the particular complaint. Many traders work with CDRL on this basis.

3. Statistics

3.1 Schedule 1 contains raw data in relation to domestic and cross-border complaints.

3.2 CDRL has specifically recorded complaints relating to:

3.2.1 Complaint types:

- Not of satisfactory quality – *this includes complaints relating to returns due to goods being faulty (including boilers)*
- Not as described
- Late delivery
- Cancelled/no delivery – *this includes where the retailer states goods have been delivered and the consumer claims they haven't*
- Out of stock – *this includes general complaints about stock levels and complaints where breach of contract is claimed as the retailer fails to deliver out of stock items despite taking the consumer's money (ie: invitation to treat issues).*
- Service issues- this includes customer service issues, issues with staff (being rude etc..), issues with the provision of services (including trade and energy provider home services complaints).
- Other- *this includes 'not fit for purpose' complaints, returns complaints where the complainant 'changed their mind' and complaints relating to 'pricing'.*

3.2.2 Goods/services categories:

- Electrical goods
- Clothing
- Food – which includes complaints relating to supermarkets, restaurants and takeaways
- Other - including 'trade' and energy provider home services complaints.

3.3 Stats overview (complaints 'accepted')

Domestic disputes per complaint type/type of goods:

4. Average length of ADR procedure

4.1 The average length of CDRL's ADR process has been:

4.1.1 RetailADR: 58 days

4.1.2 Utilitiesadr: 55 days

4.1.3 Consumer Arbitration scheme to be launched July 2018

5. ADR procedures which were discontinued for operational reasons

CDRL has no data to report here.
(from the date, the complaint was received), during the period applicable to this report.

6. Compliance with ADR outcome percentages

6.1 From the information provided (calculating on a pro-rata basis):

6.1 Member compliance – 97%

6.2 Non-member compliance – 61%

6.3 Complainant compliance (where they accepted determination) – 91%

7. Co-operation with other ADR entities in relation to cross-border disputes

CDRL has not had any opportunity to co-operate with any other ADR entity in relation to cross-border disputes.

The annual complaint figures for June 2017 to May 2018 are as follows:

<u>Dispute type</u>	<u>Number of complaints (Domestic)</u>			<u>Number of complaints (Cross-boarder)</u>			<u>Totals Accepted</u>
	<u>rec'd</u>	<u>rejected</u>	<u>Accepted</u>	<u>rec'd</u>	<u>rejected</u>	<u>Accepted</u>	
<i>Not of satisfactory quality</i>							
Electrical							
goods	781	407	374	0	0	0	374
Clothing	288	132	156	134	127	7	163
Food	134	99	35	0	0	0	35
Other	2021	1166	855	653	653	0	855
<i>Total</i>	<i>3224</i>	<i>1804</i>	<i>1420</i>	<i>787</i>	<i>780</i>	<i>7</i>	<i>1427</i>
<i>Not as described</i>							
Electrical							
goods	653	584	69	0	0	0	69
Clothing	790	587	203	68	63	5	208
Food	98	91	7	0	0	0	7
Other	217	89	128	55	55	0	128
<i>Total</i>	<i>1758</i>	<i>1351</i>	<i>407</i>	<i>123</i>	<i>118</i>	<i>5</i>	<i>412</i>

Late delivery								
Electrical goods	406	361	45	0	0	0		45
Clothing	617	502	115	73	64	9		124
Food	27	27	0	0	0	0		0
Other	413	371	42	40	40	0		42
Total	1463	1261	202	113	104	9		211
Cancelled/no delivery								
Electrical goods	387	258	129	0	0	0		129
Clothing	366	248	118	82	74	8		126
Food	34	34	0	0	0	0		0
Other	522	437	85	77	77	0		85
Total	1309	977	332	159	151	8		340
Out of stock								
Electrical goods	217		217	0	0	0		217
Clothing	412	202	210	66	61	5		215
Food	4	4	0	0	0	0		0
Other	655	507	148	11	10	1		149
Total	1288	713	575	77	71	6		581
Other								
Electrical goods	614	526	88	0	0	0		88
Clothing	533	398	135	14	9	5		140
Food	108	101	7	1	1	0		7
Other	492	407	85	102	102	0		85
Total	1747	1432	315	117	112	5		320
Service issues								
Electrical goods	496	390	106	0	0	0		106
Clothing	511	415	96	0	0	0		96
Food	45	43	2	0	0	0		2
Trade	307	81	226	0	0	0		226
Other	741	627	114	0	0	0		114
Total	2100	1556	544	0	0	0		544
TOTALS	12889	9094	3795	Cross B	1376	1336	40	3835

SCHEDULE 2

Problems encountered

SYSTEMATIC OR SIGNIFICANT PROBLEMS OCCURRING FREQUENTLY	HOW CAN THIS PROBLEM BE AVOIDED OR RESOLVED IN THE FUTURE
<p>1 As per in the last period, consumers wrongly informed in relation to what the Consumer Rights Act says and the protection it affords consumers. We have seen a significant number of references to websites and blogs run/operated by non-lawyers where the law has been mis-quoted</p>	<p>More needs to be done to educate the consumer, further information flyers etc.. A review of non-regulated websites providing 'legal' advice to consumers to ensure the correct information is being displayed.</p>
<p>2 Consumers failing to complain to the retailer/trader first before either coming to CDRL</p>	<p>Promotion of best complaint practice to consumers. In relation to the EU ODR platform this needs to filter complaints where the consumer has bypassed the retailer at the start of the complaint form</p>
<p>3 Retailers/traders failing to engage with ADR</p>	<p>Whilst a high number of retailers/traders have engaged with CDRL there are still brands that will not engage. To make ADR fully successful it should be made mandatory.</p>