

# ADR Entity Reporting - Annual Report

## Communications & Internet Services Adjudication Scheme (CISAS)

Reporting period: 1 July 2016 – 30 June 2017

In June 2015 CISAS was approved by Ofcom to provide alternative dispute resolution under the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 (“the Regulations”).

As part of Ofcom’s approval, CISAS is required under Schedule 5 of the Regulations to produce an annual activity report containing the following information:

(a) The number of domestic disputes and cross-border disputes the ADR entity has received

In the reporting period, CISAS received a total of 4130 domestic disputes and no cross-border disputes. Of these, 2992 disputes came within the scope of what CISAS can deal with, while 1138 were either out of scope or were discontinued for operational reasons.

(b) The types of complaints to which the domestic disputes and cross-border disputes relate

The following table sets out the types of domestic disputes that were referred to CISAS in the reporting period which came within the scope of what CISAS can deal with. No cross-border disputes were received by CISAS.

Complaint Types	Number of Cases
Billing	679
Contract issues	735
Customer service	374
Equipment	208
Service quality	582
Mis-selling	259
Other	131
Security	24

- (c) A description of any systematic or significant problems that occur frequently and lead to disputes between consumers and traders of which the ADR entity has become aware due to its operations as an ADR entity

As the importance of telecommunication technologies has grown, so has the significance of the customer service delivered by communications providers to their customers. For example, a customer whose service is cut off, even if only for a short time, expects a fast and effective solution from their provider. Many disputes arise as providers are not always able to meet their customers' expectations in this regard.

Disputes regarding the referral of a customer's payment history to credit reference agencies are frequently referred to CISAS. The consequences of a negative entry on a customer's credit record can be highly detrimental, and there is therefore a powerful incentive for customers to pursue a dispute in order to have the negative entry removed.

The interplay between communications providers and Openreach arises frequently in disputes, particularly in regards to installation and repair problems where Openreach involvement is required. As Openreach runs the network on which other providers rely, providers have no control over delays in carrying out installation or repair works, and customers' dissatisfaction with this results in complaints.

- (d) Any recommendations the ADR entity may have as to how the problems referred to in paragraph (c) could be avoided or resolved in future, in order to raise traders' standards and to facilitate the exchange of information and best practices

When things go wrong, the provision of swift solutions, timely and individually tailored responses, and early consideration of goodwill payments for service failures by communication providers are likely to reduce the amount of customer service complaints coming to adjudication.

Where traders refer information about their customers to credit reference agencies, they should endeavour to refrain from referring any customer's details where that customer has raised a dispute concerning payment and that dispute is ongoing.

The current status of Openreach in relation to other communication providers is a driver of complaints, and CISAS therefore welcomes the review of Openreach being undertaken by Ofcom.

- (e) The number of disputes which the ADR entity has refused to deal with, and percentage share of the grounds set out in paragraph 13 of Schedule 3 on which the ADR entity has declined to consider such disputes

CISAS refused to deal with a total of 308 disputes in the reporting period. The following table sets out the percentage share of the grounds on which CISAS declined to consider these disputes:

Reason for Refusal	Percentage Share
Prior to submitting the complaint to the body, the consumer has not attempted to contact the trader concerned in order to discuss the consumer's complaint and sought, as a first step, to resolve the matter directly with the trader	97.4%
The dispute is frivolous or vexatious	Nil
The dispute is being, or has been previously, considered by another ADR entity or by a court	Nil
The value of the claim falls below or above the monetary thresholds set by the body	1%
The consumer has not submitted the complaint to the body within the time period specified by the body, provided that such time period is not less than 12 months from the date upon which the trader has given notice to the consumer that the trader is unable to resolve the complaint with the consumer	1.6%
Dealing with such a type of dispute would seriously impair the effective operation of the body	Nil

- (f) The percentage of alternative dispute resolution procedures which were discontinued for operational reasons and, if known, the reasons for the discontinuation

During the reporting period, CISAS discontinued a total of 830 cases for operational reasons. This represents 20% of the total amount of disputes received by CISAS.

The following table sets out the percentage share of the reasons for which CISAS discontinued cases for operational reasons:

Reason for Discontinuance	Percentage Share
The subject matter of the dispute did not fall within the scope of what CISAS can consider under its Scheme Rules	1.8%
The consumer submitted an incomplete application to CISAS which could not be taken forward owing to the lack of information	79.3%

The trader that the consumer is complaining about was not registered with CISAS as its ADR entity	12.6%
The consumer was not a 'customer' of the trader under the definition set out in the CISAS Scheme Rules	6.3%

(g) The average time taken to resolve domestic disputes and cross-border disputes

Domestic disputes took an average of 25 calendar days to resolve.

No cross-border disputes were received by CISAS.

(h) The rate of compliance, if known, with the outcomes of the alternative dispute resolution procedures

CISAS does not record data on the rate of compliance with outcomes.

CISAS has a process in place whereby a trader that fails to comply with an adjudicator's decision that has been accepted by the consumer has their membership of CISAS suspended. If non-compliance persists, the trader's membership of CISAS is terminated.

(i) The co-operation, if any, of the ADR entity within any network of ADR entities which facilitates the resolution of cross-border disputes

CISAS has not dealt with any cross-border disputes in the reporting period, and it does not co-operate with any network of ADR entities which facilitate the resolution of such disputes.