

Communications and Internet Services Adjudication Scheme  
(CISAS): Independent Complaint Reviewer Report  
June 2017.

## **Introduction**

I was appointed to the role of CEDR's (Centre for Effective Dispute Resolution) Independent Complaint Reviewer in November 2016.

This is my first interim report on CISAS – which deals with complaints made against communications providers who are members of the Scheme. For the purposes of this interim review I have examined complaints made about CISAS during the calendar year 2016.

## **My Role**

I am an independent consultant and am not based at CEDR, nor am I part of that organisation. There are two aspects to my role.

Firstly, I can consider individual complaints about certain aspects of the level of service provided by CISAS. I can review cases where a user of the Scheme has complained to CISAS or CEDR and, having been through CEDR's complaint process, remains dissatisfied with the outcome.

Under my terms of reference<sup>1</sup> and the rules of the Scheme<sup>2</sup> I am only able to consider points concerning CISAS' quality of service in respect of alleged administrative errors, delays, staff rudeness or other such service matters.

I cannot consider the merits or otherwise of decisions made by CEDR's adjudicators; nor can I investigate, consider or comment on the substance or outcomes of applications or cases made by claimants.

Where appropriate, I may make recommendations based on my findings.

---

<sup>1</sup> <https://www.cedr.com/cisas/docslib/30-cedr-independent-reviewer-terms-of-reference.pdf>

<sup>2</sup> <https://www.cedr.com/cisas/cisas-rules/>

The second aspect of my role is to conduct overall reviews of service complaints and produce an interim and an annual report. These are based on findings from my reviews of individual complaints; and by examining and analysing all service complaints that CISAS have handled as I see fit.

## **This Report**

Since my appointment I have had no complaints referred to me under CISAS' complaints procedure. As this is my first interim report I therefore decided to review all the service complaints received by CISAS during the calendar year 2016.

## **CEDR's Complaints Procedure**

The complaints procedure<sup>3</sup> covers CISAS and it explains the scope of the procedure along with the two internal stages of review that take place before, if necessary, a complaint is referred to me.

The procedure is articulated clearly with timescales and information about what can be expected. In brief, if after the first stage response to a complaint a customer remains dissatisfied he or she can ask for escalation to stage two of the process, where a Director will review the complaint. Where this does not resolve the matter, the complaint can be referred to me for independent review.

## **My Findings**

### Quantitative

CISAS receives very few complaints about its service. Out of the 2698 cases it handled in 2016 there were 19 complaints about CISAS's own service performance. This represents 0.7%.

---

<sup>3</sup> <https://www.cedr.com/complaints/>

Of the 2698 total cases handled in 2016, 51% (1377) received a final decision from an adjudicator. The other 49% were either outside the scope for investigation by CISAS, or were settled without the need to progress to an adjudicator.

Of the 1377 adjudicated cases, CISAS found wholly for the complainant in 8.3% (115) of cases; 52.3% (720) partly for the complainant; and 39.4% wholly for the communications provider. This provides a useful context in which to view the complaints made about CISAS itself.

Table 1 below gives a breakdown of the service complaints about CISAS:

Table 1

In Scope	Out of Scope	Partly in Scope	Not allocated	Total
7	6	2	4	19

I have drawn the “not allocated” cases to CISAS’ attention and they have now been allocated as “partly in scope”.

Table 2 below gives a breakdown by outcome:

Table 2

Upheld	Partly Upheld	Not Upheld	Not Applicable/Rejected	Total
4	2	11	2	19

The two cases that were not applicable/rejected were discovered to be general issues that were outwith the scope of the Scheme and did not, in any event, contain a service complaint. I am satisfied that they were correctly classified.

Quantitatively, this small proportion of complaints does not enable me to identify any trends – perhaps because there are no trends as such.

Compared to the most recent Independent Complaint Reviewer’s report (in 2014) the figures then were 36 complaints out of 5778 cases, representing 0.6%. Whilst there were fewer cases in 2016, the proportion of service complaints about CISAS remains consistently very low at 0.7%. This provides good evidence of a norm, and there is no cause for concern.

### Qualitative

I examined all 19 cases.

In two cases there was a slight delay in CISAS responding to the customer. However, these were acknowledged at the time, and they do not represent a theme.

For the most part the six complaints that were adjudged to have been out of scope were correctly so; the complaints were wholly about the adjudicator’s decision, which falls outwith the scope of the complaints procedure.

However, one of those cases could in my opinion have more correctly been classified as “in scope” as it resulted in recognition of a CISAS failing and a goodwill payment to the complainant. I have drawn this to CISAS’ attention and it has been corrected.

Of the four cases that were upheld, the issues concerned administration mistakes or delays that seem to represent human error rather than any systemic problems. One case involved a series of delays and failure to update the customer; a second involved an oversight in that the settlement of a complaint was not recorded accurately; a third involved delays by the communications provider but CISAS acknowledged that it had been insufficiently proactive; and a fourth involved failure to respond to a customer’s e-mails and replies made in error.

The response given in each case was thorough, comprehensive and honest in articulating where CISAS had failed. Goodwill payments were made in each case, ranging from £50 - £100.

Of the 11 cases shown in table 2 as “not upheld”, six were classified as out of scope and as noted above one of those has now been re-categorised as partly in scope. In that case an award was made to the customer in view of CISAS’ poor handling of his enquiries.

One further case had been wrongly classified as “not upheld”, when in fact it had been “partly upheld”. This was due to human error, and it has been retrospectively corrected.

The remaining four cases were correctly “not upheld” in my assessment.

In one case the allegation was that CISAS had not followed its own rules, when clearly it had; one case involved a complaint about the resolution of a much older case and it was clear that the customer had become confused rather than any error on CISAS’ part; and two cases concerned unsupportable complaints about alleged processing errors.

I am satisfied that these complaints were handled properly and that in each of them “not upheld” was the right decision.

## **Conclusion**

In the context of the volume of work handled by CISAS in 2016 the frequency of complaints about its own service levels is very low at <1%. This is evidence of a good performance.

The service complaints process is well articulated and the evidence from my review shows it to be working effectively. The responses to consumers are clear and well written and are supported by thorough investigations.

I found a very small number of minor errors in terms of categorising complaints. These were straightforward “one off” mistakes and are not indicative of any underlying problems with either system or staff performance. CISAS responded effectively when I drew these matters to their attention – either correcting classification errors, or giving me a full explanation of the reasoning behind a classification.

## **Recommendations**

I have no specific recommendations.

CISAS should aim to maintain current service levels, and as far as possible strive to avoid the infrequent and minor errors in classification.

## **Acknowledgements**

I have been given open and unrestricted access to all CISAS' systems and records along with carte blanche in respect of conducting this audit as I saw fit. I am very grateful for the patience and assistance given to me in terms of navigating systems and dealing with my various questions. I am grateful, too, for the thorough responses to the various points that I raised as I examined the casework.

A handwritten signature in black ink, appearing to read 'CA Holland'.

Chris Holland

Independent Complaint Reviewer

28 June 2017