

# ADR Entity Reporting – Annual Report

## Communications & Internet Services Adjudication Scheme (CISAS)

Reporting period: 1 July 2018 – 30 June 2019

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 11,243 domestic disputes and no cross-border disputes. Of these, 8782 disputes came within the scope of what CISAS can deal with, while 2461 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          | 2775            |
| Service quality  | 1729            |
| Contract issues  | 1706            |
| Customer service | 1139            |
| Mis-selling      | 809             |
| Equipment        | 433             |
| Other            | 115             |
| Security         | 76              |

- (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

Complaints often stem from an initial problem that a consumer typically experiences with their billing or the quality of the service they are provided with, and then during the complaints process additional problems occur due to the quality of customer service provided by the trader. Therefore, consumers' experiences of traders' complaints processes can exacerbate the problem rather than alleviate or resolve it.

- (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

It is important that traders' complaint processes are effective in resolving disputes raised by consumers. As part of this, traders should endeavour to always provide comprehensive and prompt responses to complaints, dealing with the issues raised with empathy and offering adequate remedial measures to consumers where appropriate.

- (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 310 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 | 1.6%             |
| The dispute is frivolous or vexatious  | 0.6%             |

|  |       |
|--|-------|
| The dispute is being, or has been previously, considered by another ADR entity or by a court   | 10.4% |
| The value of the claim falls below or above the monetary thresholds set by the body  | 1.3%  |
| 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 | 86.1% |
| 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 2151 cases for operational reasons. This represents 19% 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           | 3.6%             |
| The consumer submitted an incomplete application to CISAS which could not be taken forward owing to the lack of information | 72.5%            |
| The trader that the consumer is complaining about was not registered with CISAS as its ADR entity                           | 0.1%             |
| The consumer was not a 'customer' of the trader under the definition set out in the CISAS Scheme Rules                      | 2.4%             |
| The consumer voluntarily withdrew their dispute from CISAS while it was in progress   | 21.4%            |

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

Domestic disputes took an average of 31 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

Since 2019, CEDR has been a founding member of the Telecoms-Net group of European ADR entities facilitating the sharing of best practice in dispute resolution in the telecommunications sector.