

Communications and Internet Services Adjudication Scheme  
(CISAS): Independent Complaint Reviewer Interim Report  
January - June 2018.

## **Introduction**

This is my third report on CISAS – which deals with complaints made against communications providers who are members of the Scheme. This is an interim report covering 1 January to 30 June 2018.

## **My Role**

I am an independent consultant. I am not based at CEDR (the Centre for Effective Dispute Resolution), 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. Under my terms of reference<sup>1</sup> and the rules of the Scheme<sup>2</sup> I am only able to consider points relating to CISAS' or CEDR's quality of service in respect of alleged administrative errors, delays, staff rudeness or other such service matters. Other than referring to them where appropriate, I cannot comment on the content or validity of the Scheme's rules.

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

The second aspect of my role is to conduct overall reviews of service complaints and produce reports accordingly. These are based on findings from my reviews of any individual complaints; and by examining and analysing all or some of the service complaints that CISAS have handled as I see fit.

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<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/>

## **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.

## **This Report**

I had one complaint referred to me under the complaints procedure during the first half of 2018. I comment on this in the next section, under qualitative findings. I have also examined all of the service complaints received by CISAS between 1 January and 30 June 2018.

## **My Findings**

### Quantitative

CISAS received very few complaints about its service. Out of the 4667 claims it handled in the period covered by this report there were 24 complaints about CISAS's own service performance. This represents 0.5%.

Of the 4667 claims received during the first half of 2018, 36% (1680) received a final decision from an adjudicator. The remaining 64% were either outside the scope for investigation by CISAS, or were settled without the need to progress to an adjudicator.

Of the 1680 adjudicated cases, CISAS found wholly for the complainant in 5.3% (89) of cases; 63.5% (1066) partly for the complainant; and 31.2% (525) wholly for the communications provider.

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

Compared to 2017, in the first half of 2018 there were more cases partly found for the complainant (63.4% versus 52.8%); and fewer cases found wholly for the provider (31.2% versus 41.9%).

These top level statistics provide a useful context in which to view the complaints made about CISAS itself, and it remains the case that the Scheme is maintaining a good performance in this respect.

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

Table 1

In Scope	Partly in Scope	Out of Scope	Not allocated	Total
8	9	7	0	24

I found three minor classification errors, which I have drawn to CISAS' attention and which they have corrected. These were system recording errors and did not affect the outcomes of any complaints. I am satisfied that all cases were processed correctly.

The table above shows the corrected figures.

Table 2 below gives a breakdown by outcome at Stage 1 of the complaints process for those cases that were not out of scope:

Table 2

Upheld	Partly Upheld	Not Upheld	Not Applicable/Rejected	Total
4	4	8	0	16

All cases were correctly categorised.

Only one case progressed to Stage 2 of the process, and subsequently on to the third stage for independent review. As that review took place in August, I shall cover it in my next report.

The ratio of complaints to claims handled is very low and from a quantitative perspective there are no identifiable trends.

## Qualitative

I examined all 24 cases.

CISAS met its 30 working day target for responding to the complainant in all but two cases and they were both only one day overdue – so that is a good performance, and is an improvement on 2017. The average response time was 16.5 days, with a range of four to 31 days.

All seven complaints that were ruled out of scope were correctly done so; these complaints were entirely about the adjudicator's decision, which falls outwith the scope of the complaints procedure.

There were two cases that were correctly handled (as partly within scope) but incorrectly recorded as out of scope on the system. The records have been amended accordingly.

Those cases in scope (eight complaints) were in my opinion classified correctly. One of the cases recorded as partly in scope should have been out of scope; again, this was simply a classification error that had no impact on the processing of the complaint and the record has now been amended.

Of the four cases that were fully upheld, the complaints were about a combination of processing errors, poor call handling or poor advice/support. However, I found no evidence of any underlying problems.

The responses given in each case were well written, comprehensive and honest in explaining where CISAS had failed. Goodwill payments were made in three of the cases, ranging from £15 - £25. In my opinion these were proportionate.

I found two cases where the letter advising the customer of the outcome of his or her complaint was not attached to the e-mail sent to the customer. Both were corrected, and they are not significant enough to warrant a formal recommendation. But whilst it was only two cases these are avoidable errors and care should be taken to avoid them in future.

Only one case progressed beyond Stage 1 of the Complaints Process, going on to reach me in August 2018. I will comment on this case in my next report.

I reviewed one case during the period covered by this report. In the main this concerned the adjudicator's decision, so was outwith my remit. I did not uphold the complaint, as there was no evidence that CISAS had breached its process, or acted anything other than fairly or reasonably. In the course of my review, however, I did notice a couple of things that the customer had not complained about but which I felt warranted recommendations. The first was for CEDR to ensure that in every situation where a complaint progresses to Stage 2 the Director writes to the customer (even if the customer has said that he or she does not require a letter); and the second was for CEDR to ensure prompt reference to the Complaints Procedure when appropriate. CEDR accepted these recommendations.

The customer responded to my review some six months after I sent my findings, querying certain aspects of the case. Although the process had formally ended, I re-examined various points to check for factual errors. There were none, save for a minor mistake I had made with the date of one e-mail. Although this had no bearing on the outcome of the case, CEDR made a goodwill payment of £20.00 to the customer in recognition of any inconvenience caused by the error.

### **Follow up on previous recommendations**

I made two recommendations in my last report. Here I comment on both.

- 1. That CEDR take steps to ensure that when they make an award of a goodwill payment as part of their complaint process, the payment is made promptly; and that the customer is advised of an expected payment date and proactively kept informed if there is likely to be a delay.*

CEDR advised me that they acted on this and it is no longer a problem. I found no evidence of this still happening in any of the cases where a goodwill payment had been made.

2. *That CEDR ensures that letters to complainants (at Stages 1 and 2 as appropriate) are e-mailed on the same date as shown on the letter - or at the very least no later than the next working day.*

This problem has largely been solved. I found only one case where there was a six day difference between the date on the letter and the date of the e-mail. I am satisfied that this was a one off oversight.

## **Conclusion**

In the context of the volume of work handled by CISAS the number of complaints about its own service levels is very low – showing a sustained good performance.

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

The errors that I did find were small ones, and were infrequent administrative mistakes, which are not indicative of any underlying problems.

Even so, as on previous occasions, CEDR responded very positively when I drew these matters to their attention – either correcting classification errors, or giving me a full explanation.

CISAS and CEDR should aim to maintain current service levels, and as far as is possible continue to eliminate minor errors.

## **Recommendations.**

I have no recommendations arising from this interim review.

## **Acknowledgements**

I have been given open and unrestricted access to CISAS' and CEDR's 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 detailed responses to the various points that I raised as I examined the casework; and the positive responses to my comments and observations as I undertook this review.

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

Chris Holland

Independent Complaint Reviewer

29 September 2018