

## **How does CEDR meet Ofcom's approval criteria?**

In order for CEDR to provide alternative dispute resolution (ADR) services for the communications industry under the CISAS Scheme, Ofcom (the industry regulator) must be satisfied that CEDR meets their approval criteria.

Below are the approval criteria and statements demonstrating CEDR's adherence, and continued commitment to adhere, to these criteria:

### **(a) Accessibility**

CEDR ensures that CISAS is accessible to all those who wish to use it.

Applications can be made to CEDR across a range of formats, including post, email and via our online case management system. All correspondence regarding a case will then be carried out using the consumer's preferred method of contact. In addition, consumers can be represented in their case by anyone they wish, in the event that they cannot or do not wish to manage their case themselves.

Information and guidance about CISAS is easily accessible on the scheme website, [www.cedr.com/cisas](http://www.cedr.com/cisas). This includes the CISAS Rules, which set out how cases are conducted, along with straightforward and consumer-friendly information about how the process works and what the parties can expect.

We have a dedicated team of highly-trained staff who are available to provide information and support in relation to the CISAS process by email and over the telephone.

CEDR is committed to providing all of its services, including CISAS, without any discrimination as to age, marital status, disability, race or ethnicity, religion, sex, sexual orientation or any other protected characteristics under the Equality Act 2010.

CEDR is furthermore committed to providing its services to consumers with disabilities and those in vulnerable circumstances. To this end, CEDR operates a reasonable adjustments policy, which ensures that those who require special assistance in order to use CISAS can receive this. Typical adjustments that CISAS makes include completing applications on behalf of consumers and extending timescales for consumer action.

### **(b) Independence**

The adjudicators (Adr officials) who make decisions in relation to the disputes referred to CISAS are independent of both Ofcom and communications providers, which ensures that they reach their own decisions free from interference.

Adjudicators have no direct contact with either party to the dispute or with Ofcom, with all requests for further evidence or clarification being forwarded by CEDR's team of administrators. This is to ensure that adjudicators are removed from either party to the dispute.

The remuneration provided to adjudicators is not dependent upon the outcomes they reach. Adjudicators are paid to produce decisions, regardless of whether a decision is in favour of a consumer or a communications provider.

All adjudicators are trained to recognise any potential conflict of interest and to address it appropriately, including disclosing the conflict and recusing themselves where necessary.

### **(c) Fairness**

CEDR ensures that the CISAS procedures and decisions are fair and reasonable.

The CISAS case process gives both parties full and comprehensive opportunities to put forward their arguments, evidence and documents as they see fit. The time periods that the parties have to do this are ample and can be extended at the adjudicator's discretion.

All adjudicators are thoroughly trained in weighing up the evidence fairly, taking into account the imbalance of resources between the parties, and applying Ofcom's Decision Making Principles to ensure that fair and reasonable outcomes are reached. Adjudicators also have the power to request further information from either party if this is necessary in order to reach a fair and reasonable resolution to the dispute.

It is of the utmost importance that CISAS adjudicators act consistently in their approach to any dispute referred to the scheme. To this end, cases and decisions are regularly reviewed by more experienced adjudicators to ensure that they are consistent with the expected standards of quality and fairness.

The parties to a dispute are simultaneously informed of the decision reached by the adjudicator, which always includes thorough and comprehensive reasons for the decision reached.

Any party who is dissatisfied with the process followed by CISAS is entitled to make a complaint. All complaints are handled in line with CEDR's complaints procedure, which has a three-stage escalation process culminating in consideration by an independent reviewer.

### **(d) Efficiency**

The vast majority of cases dealt with by CISAS are completed within six weeks of the customer's application to CEDR being deemed to be within scope. This is significantly quicker than the 90-day maximum period set out in the 2015 Regulations.

CISAS frequently meets and exceeds the Key Performance Indicators (KPIs) set by Ofcom, which are reported to Ofcom on a monthly basis.

CISAS has the ability to adapt to increases and decreases in the number of cases coming to ADR, as the panel of adjudicators at CEDR is sufficiently large to allow us to increase the amount of cases sent to them. In addition, CEDR endeavours to identify likely increases in case numbers in advance, wherever possible.

### **(e) Transparency**

CEDR is committed to being as transparent as possible regarding the CISAS process. Therefore, clear and comprehensive information about the scheme is set out on the website, and our team of administrators are available to provide information and support. In addition, all evidence and

submissions are shared with both parties in every case that CEDR considers, and adjudicators produce fully-reasoned written decisions which are sent to both parties simultaneously.

In terms of publishing data, CISAS publishes information on case numbers, complaint types and case outcomes on its website. CISAS also publishes a selection of case studies on the website so that consumers and communications providers can understand how particular types of disputes have been resolved in the past by CISAS.

#### **(f) Effectiveness**

CEDR has processes in place to ensure that CISAS is regularly reviewed to monitor and improve its effectiveness.

Trends in case types and case outcomes are monitored by CISAS on an ongoing basis, and feedback is provided to communications providers in order to assist them in managing complaints better.

CEDR keeps accurate records of cases accepted, case details and of decisions made, to ensure that meaningful and effective data can be easily obtained.

CISAS regularly carries out satisfaction surveys for those who use the scheme, in order to obtain feedback on how well the process is working and how satisfied they are with the process and outcome.

All communications providers that subscribe to CISAS sign a legally binding contract by which they agree to abide by any decision made by an adjudicator that is accepted by the consumer. They are therefore contractually required to comply with awards of compensation directed by an adjudicator, where the consumer has chosen to accept them. Furthermore, CEDR has a process in place whereby a communications provider that fails to comply with an adjudicator's decision that has been accepted by the consumer has their subscription to CISAS suspended. If non-compliance persists, the communication provider's subscription to CISAS is terminated.

#### **(g) Accountability**

CEDR adheres to all requirements set by Ofcom and laid down in the 2015 ADR Regulations. This includes meeting performance requirements in relation to fairness, independence and quality, as well as the production of annual and biennial reports covering the number and types of complaints received.