

ADR Entity Reporting - Biennial Report

Communications & Internet Services Adjudication Scheme (CISAS)

Reporting period: 1 July 2015 – 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 6 of the Regulations to communicate the following information every two years:

(a) The number of disputes received by the ADR entity and the types of complaints to which the disputes related

In the reporting period, CISAS received a total of 7446 disputes. Of these, 5067 disputes came within the scope of what CISAS can deal with, while 2379 were either out of scope or were discontinued for operational reasons.

The following table sets out the types of disputes that were referred to CISAS in the reporting period which came within the scope of what CISAS can deal with.

Complaint Types	Number of Cases
Billing	1076
Contract issues	1017
Customer service	569
Equipment	356
Service quality	1538
Mis-selling	264
Other	216
Security	31

(b) The percentage share of alternative dispute resolution procedures which were discontinued before an outcome was reached

During the reporting period, CISAS discontinued a total of 1369 cases. This represents 18% 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:

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	2.7%
The consumer submitted an incomplete application to CISAS which could not be taken forward owing to the lack of information	67.3%
The trader that the consumer is complaining about was not registered with CISAS as its ADR entity	25%
The consumer was not a 'customer' of the trader under the definition set out in the CISAS Scheme Rules	5%

(c) The average time taken to resolve the disputes which the ADR entity has received

Disputes took an average of 27 calendar days to resolve.

(d) The rate of compliance, if known, with the outcomes of its 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.

(e) Any recommendations the ADR entity may have as to how any systematic or significant problems that occur frequently and lead to disputes between consumers and traders could be avoided or resolved in future

Traders' terms and conditions should be written in plain English and easy for consumers to understand. This may avoid disputes about the interpretation of terms and conditions from arising.

Traders should ensure that contractual terms and conditions are made clear to consumers at the point that the contract is entered into. Any terms that may adversely affect the consumer should be specifically brought to the consumer's attention. This may avoid disputes regarding the applicability of particular contract terms from arising.

When a contract is entered into between a trader and a consumer, particularly via any means of distance selling, traders should ensure that a clear and comprehensive explanation is given to the consumer of the features, capabilities and limitations of the service or services that have been agreed to be provided.

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.

- (f) Where the ADR entity is a member of any network of ADR entities which facilitates the resolution of cross-border disputes, an assessment of the effectiveness of its co-operation in that network

CISAS has not dealt with any cross-border disputes, and does not co-operate with any network of ADR entities facilitating the resolution of such disputes.

- (g) Where the ADR entity provides training to its ADR officials, details of the training it provides

CISAS supports the continuing training and development of its ADR officials. In this reporting period, training has been provided to ADR officials on the following topics:

- Roaming regulations and 'roam like at home';
- Decision writing techniques;
- Compensation awards; and
- Frivolous and vexatious complaints.

(h) An assessment of the effectiveness of an alternative dispute resolution procedure offered by the ADR entity and of possible ways of improving its performance

CISAS is a highly effective alternative dispute resolution procedure. The quality of the adjudication process is clear from the fact that every CISAS adjudicator is legally qualified, ensuring that every dispute that reaches adjudication is rigorously evaluated in line with the law. Furthermore, the service provided by CISAS offers a highly efficient means of bringing swift resolutions to disputes. CISAS reaches an outcome within an average of 27 days from the submission of the customer's application, which is significantly quicker than the 90-day requirement set by the Regulations.

Improvements can always be made to the performance of any ADR procedure. CISAS will therefore look at the viability of triaging and grouping case types in order to enhance efficiency. Further improvements can be made by deepening the quality control measures already in place to enhance consistency of approach and outcome among adjudicators, and by revisiting the format, layout and language used in adjudicators' decisions to ensure that they are understood by the widest possible audience.