

# ADR Entity Reporting – Biennial Report

## Communications & Internet Services Adjudication Scheme (CISAS)

Reporting period: 1 July 2017 – 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 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 15,410 disputes. Of these, 11,709 disputes came within the scope of what CISAS can deal with, while 3701 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	3350
Service quality	2651
Contract issues	2173
Customer service	1456
Mis-selling	993
Equipment	529
Other	445
Security	112

(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 3176 cases. This represents 21% 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	3.7%
The consumer submitted an incomplete application to CISAS which could not be taken forward owing to the lack of information	72.8%
The trader that the consumer is complaining about was not registered with CISAS as its ADR entity	0.2%
The consumer was not a 'customer' of the trader under the definition set out in the CISAS Scheme Rules	2.3%
The consumer voluntarily withdrew their dispute from CISAS while it was in progress	21%

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

Disputes took an average of 31 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

The status of Openreach in relation to other communication providers is a driver of complaints, and CISAS therefore hopes for the swift conclusion of Ofcom's review of Openreach.

Even where a consumer has disputed the applicability of one or more obligations under their contract, traders should terminate the consumer's contract if they have made a request for such. Any dispute can then be resolved after the contract has been brought to an end.

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.

- (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

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. The network is in its early stages, so its effectiveness can only be evaluated at a later stage.

- (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:

- Ofcom's automated compensation scheme
- Ofcom's voluntary code of practice on broadband speeds

- Best practice on decision-making techniques, including requests for further evidence from the parties and making directions

(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 remains a highly effective alternative dispute resolution procedure which has evolved and innovated during the period covered by this Biennial Report.

Since autumn 2017, all disputes referred to CISAS are processed through an online case management platform which the parties to the dispute can log into, upload all relevant evidence and submissions, and where the adjudicator can ask queries of the parties and upload their decision on the dispute. This platform, which provides 360-degree visibility for all parties, has been highly successful in providing users with a transparent and effective dispute resolution procedure.

A number of large communications providers decided to move to CISAS within the period covered in this report. This has resulted in a substantial increase in the number of disputes referred to CISAS. Nonetheless, most cases are resolved within 31 calendar days, which is significantly below the period of 90 days required by law. This demonstrates that CISAS' operating model is highly effective in dealing with the increased dispute volumes that have been received.