

## Guidance Notes for Customers

### Conciliation

#### Who are CEDR?

We are the Centre for Effective Dispute Resolution – the largest provider of alternative dispute resolution (ADR) in Europe. In the last 25 years we have dealt with over 100,000 consumer and commercial disputes across dozens of industries.

#### What is ADR?

ADR is a way of sorting out conflicts or disputes informally and confidentially without the matter having to go to court. Conciliation is one of the ADR methods that we provide.

#### What is conciliation?

Conciliation is an informal way of settling disputes. A conciliator will contact you and the other person involved in the dispute, usually by phone, to try to assist you both in coming to an agreement. The conciliator allows you and the other person to sort out the dispute yourselves, although they can recommend a solution if you cannot reach one. (If they do recommend a solution, you do not have to follow their recommendation). Any settlement you and the other side reach will become a contract, that you both agree to keep to, once you both sign a copy of it.

#### How does it work?

Once we have reviewed and accepted your application for conciliation, we will allocate a conciliator to the dispute. They will contact you and the other person separately for a confidential discussion. Any information you give the conciliator is confidential and they can only share it with the other person if you agree. The conciliator will work with both of you to help you to sort out the dispute in a way you will both be satisfied with. Once you and the other side have agreed a way forward, the conciliator will draft a written outcome statement, summarising what has been agreed, and send it to each of you. If you both return a signed copy of the statement to us within the time we have set, the dispute will be settled.



**Do I need a solicitor to represent me?**

You do not need a solicitor but you can ask one to represent you if you want to. However, you cannot claim any charges your solicitor may make for their services.

**Will I be expected to go to a hearing?**

No, the whole process is done over the phone and in writing.

**Who are the conciliators?**

The conciliators are professionals who have been trained and accredited under the CEDR Mediator skills training course to be mediators and conciliators. To be accredited, they will have done at least 70 hours training, including five days of comprehensive tuition as well as training in the skills needed for mediating disputes effectively. CEDR accreditation is internationally recognised as the standard of excellence, with over 10,000 professionals trained in 60 countries over the last 28 years.

**Does the conciliator decide the outcome of the dispute?**

No, the conciliator's role is not to take sides but to help you come to an agreement. They will often help you test the strength of a case in private and may suggest how the other side may react to a solution you might have. However, both sides need to trust the conciliator to treat you both equally, and conciliators are careful to avoid taking sides.

**How much does it cost?**

There is a small fee, which is less than the cost of taking a claim to the Small Claims Court or Money Claim Online. Some schemes are free to the customer – see individual schemes for more details.

**When can I apply?**

You can apply for conciliation if a company who is registered with us has not been able to sort out the dispute to your satisfaction through their own complaints process. On some schemes, the industry trade body will try to sort out the matter for you before it can be referred to us. Please read the guidance notes on the scheme pages that relate to your dispute for more details.



### **What happens when you receive my application?**

Once we receive your application we will check that it is valid and that we can handle it under the relevant rules. We will then tell you and the other side that we have accepted your application and confirm the name of your conciliator. The conciliator will then be in touch with both of you.

### **How long will it take?**

We must complete cases within 90 days of accepting an application, but in most instances the process takes around 50 days.

### **What are the precise details of the process?**

Conciliation schemes are run under a set of rules which are available on this website. On each page that relates to a scheme that we run, there will be a set of rules for that scheme. All applications must meet the rules. If yours doesn't, we will tell you why and if there is anything you can do so that it does.

### **What happens if we don't agree on a resolution?**

You are free to continue your claim through the courts or, in some cases, through other dispute resolution methods.

### **Can I send copies of the outcome statement to consumer forums or publish it on a website?**

Conciliation is a confidential process, by contract, between you and the company. By using conciliation through CEDR you agree to keep the case and outcome confidential. If you choose to publish a copy of the decision in a public forum, the company may take action against you for breaking this contract.

### **What should I do if I have other questions?**

Contact our office on +44(0)20 7520 3800 for more guidance.