

Two-Yearly Report

For the purposes of compliance with Regulation 11 (and Schedule 6) of The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 (as amended)

ADR entity name: CEDR Services Ltd

Date of publication on ADR entity's website: 25 May 2022

Time period covered in this report: 1 April 2020 to 31 March 2022

Date submitted to the CAA: 19 May 2022

1. The number of disputes received by the ADR entity and the types of complaints to which the disputes related:

EU Regulation 261 / 2004	
Complaint type	Number of Complaints
Cancellation – right to care	4
Cancellation – information	5
Cancellation – compensation	1008
Cancellation – refund	2632
Cancellation – alternative flight	62
Cancellation – expenses	74
Delay – right to care	5
Delay – information	13
Delay – compensation	383
Delay – refund	119
Delay – alternative flight	8
Delay – expenses	34
Denied Boarding – selection for	0
Denied Boarding – right to care	19
Denied Boarding – information	0
Denied Boarding – compensation	120
Denied Boarding – refund	198
Denied Boarding – alternative flight	16
Denied Boarding – expenses	53
Diverted	1
Downgraded	14
Article 9(3) – Right to Care for persons with reduced mobility / unaccompanied children	3
Article 11 – persons with reduced mobility or special needs	13
Other	7

Total	4791
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EU Regulation 1107 / 2006	
Complaint type	Number of Complaints
Refusal to accept a reservation	7
Refusal to embark a passenger with a reservation	0
Pre-notification not recorded / transmitted	0
Staff attitude and behaviour	4
Information concerning a flight	0
Transport of mobility equipment	1
Seating	20
Seating of accompanying persons in a seat next to the PRM	0
Assistance dogs	0
Moving to the onboard toilet	0
Damaged and lost mobility equipment	0
Assistance through airport; onto aircraft; disembarkation	3
Facilities for PRMs, including toilets	22
Other	0
Total	57

Other	
Complaint type	Number of Complaints
Medical issues	2
Missed connections	2
Tickets & fares	6
In-flight facilities and services	11
Delayed / damaged / lost / stolen baggage	110
Cabin baggage	33
Safety	0
Booking problems	8
Complaint process	0
Schedule changes	0
Other	22
Total	194

2. The percentage share of alternative dispute resolution procedures which were discontinued before an outcome was reached:

Reason for discontinuation (as applicable)	% share (of all discontinued)
Complainant out of contact	68%
Complaint withdrawn by complainant	32%
Consumer is believed by the ADR entity to have provided	0

false or fraudulent information or documents (at any stage)	
The trader has misled the ADR entity with regard to a ground that may or may not exist for refusing to accept or continue with the resolution of a dispute	0
The consumer has been abusive to an ADR official of the ADR entity	0
Both the consumer and the trader agree, including where a conflict of interest has been identified and it is not possible for the reasons referred to in this policy to transfer the ADR procedure to another ADR entity approved by the CAA	0

3. The average time taken to resolve the disputes which the ADR entity has received:

Disputes took an average of 31 calendar days to resolve (from receipt of complete case file).

4. The rate of compliance, if known, with the outcomes of its alternative dispute resolution procedures:

All outcomes have been complied with by traders.

5. 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 Covid-19 pandemic has had a severe impact on the aviation industry during the period covered by this report, and has given rise to the cancellation of many flights. Airlines offer passengers the right to a monetary refund (as required by law), but many also offer passengers a voucher for future travel should the passenger wish to take that option. However, many disputes have arisen regarding the choice made between these two options, with passengers contesting that they have given their fully informed consent to receiving a voucher in lieu of a refund.

When a flight is cancelled, airlines should make the choice between a refund and a voucher as clear as possible to affected passengers. This could be by way of making the choice visible in the initial notification of the flight cancellation, as well as by making clear at the time at which a voucher or a refund is requested that the other option can also be selected if desired. This would reduce the number of disputes arising over the question of whether or not the passenger had given their fully informed consent to receiving a voucher.

6. 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 2018, CEDR has been a member of the Travel-Net group of European ADR entities facilitating the sharing of best practice on dispute resolution in the aviation and travel sector. During the Covid-19 pandemic, meetings of the network have taken place digitally. The next face-to-face workshop is scheduled for May 2022 in Prague, Czech Republic, hosted by the Czech Trade Inspection Authority.

7. Where the ADR entity provides training to its ADR officials, details of the training it provides:

- Regular meetings of ADR officials to discuss issues and new developments in the law and in the cases referred to the scheme;
- Practice directions on a range of subjects;
- Updates on new case law in the UK and European courts;
- Training on the post-Brexit legal landscape for air passenger rights;
- CEDR operates a secure online portal in order for its ADR Officials to access:
 - A library of relevant law and guidance
 - Practice directions
 - Discussion topics for the sharing of best practice among ADR Officials
 - Training videos on using CEDR's case management system

8. An assessment of the effectiveness of an alternative dispute resolution procedure offered by the ADR entity and of possible ways of improving its performance:

CEDR provides a highly effective alternative dispute resolution procedure. The quality of the adjudication process is clear from the fact that every CEDR adjudicator is legally qualified, ensuring that every dispute that reaches adjudication is rigorously evaluated in line with the law. Furthermore, the service provided by CEDR offers a highly efficient means of bringing swift resolutions to disputes. CEDR reaches an outcome within an average of 31 days from the submission of the customer's application, which is an improvement from the previous Two-Yearly Report and significantly quicker than the 90-day requirement set by the ADR Regulations.

Improvements can always be made to the performance of any ADR procedure. CEDR will therefore look at streamlining the process to make it as swift and cost-effective as possible. CEDR will also ensure that quality control measures are as effective as possible to enhance consistency of approach and outcome among adjudicators.