

## Schedule 5 and Schedule 6 Information for ADR Bodies

The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015, require you to supply the competent authority (Chartered Trading Standards Institute) with your Schedule 5 (annual) and Schedule 6 (biennial) reports when they are due.

The Schedule 5 report must be supplied every year (including when you also supply your biennial report) and must be made available on your website as per the legislation. The Schedule 5 report must be supplied to the competent authority and uploaded onto the website within a month of the anniversary of your date of approval as an approved ADR body.

The Schedule 6 report must be supplied biennially and is not required to be available on your website, only sent to the competent authority. The years that you supply the biennial report, you still must supply an annual report in addition. The Schedule 6 report must be supplied to the competent authority within a month of the anniversary of your approval date. The information (data) (as per section 11.3 of the legislation) is to cover the whole (totals) of the 2-year reporting period.

All details of what must be included in the reports can be found below.

This is the minimum data required for reporting, but any other or extra data supplied would be much appreciated for further insight.

As of 1<sup>st</sup> January 2021, there have been several amendments made to the legislation due to Brexit. It is no longer a requirement of the legislation to handle cross-border disputes and report on these disputes. However, if you continue to handle cross-border disputes, we would ask that you supply any information in relation to these cases.

Additionally, if your ADR scheme's outcome is binding on either party, please provide us with the percentage of whether the outcome was ruled in the consumer or trader's favour at the end of the Schedule 5 and Schedule 6 report.

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## Schedule 5 – CEDR – 1 August 2022 to 31 July 2023

Information to be included in an ADR entity's annual activity report

(a) the number of domestic disputes the ADR entity has received;

No. enquiries received (domestic)	No. enquiries received (cross-border)	No. disputes received (domestic)	No. disputes received (cross-border)	No. disputes accepted (continued to case) (domestic)	No. disputes accepted (continued to case) (cross-border)
Not known*	0	1116	0	1010	0

\* CEDR does not hold data on the number of enquiries it receives.

(b) the types of complaints to which the domestic disputes and cross-border disputes relate;

Types of disputes:

- Funeral and estate planning disputes – 86
- Holidays and travel disputes – 9
- Home building and residential disputes – 1021

(c) a description of any systematic or significant problems that occur frequently and lead to disputes between consumers and traders of which the ADR entity has become aware due to its operations as an ADR entity;

During this reporting period, the amount of disputes has increased when compared to the previous year. Of particular note is that there has been an increased proportion of complaints about customer service, showing that customers are less satisfied with the way in which their complaints are being handled than in previous years. Given the increasing levels of vulnerability among consumers, this is an area to which traders should pay particular attention.

- (d) any recommendations the ADR entity may have as to how the problems referred to in paragraph (c) could be avoided or resolved in future, in order to raise traders' standards and to facilitate the exchange of information and best practices;

Providing an accessible and responsive customer service function is an essential for all public-facing companies, particularly when an increasing number of consumers are affected by health, financial and other social vulnerabilities. Improving the work of customer service functions to equip them with the tools to identify and resolve issues quickly is a key tool in preventing complaints from escalating into disputes that are referred to ADR.

- (e) the number of disputes which the ADR entity has refused to deal with, and the percentage share of the grounds set in paragraph 13 of Schedule 3 on which the ADR entity has declined to consider such disputes;

Total no. of disputes rejected	55
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Reason	No. rejected	Percentage of rejected
a) the consumer has not attempted to contact the trader first	7	13%
b) the dispute was frivolous or vexatious	0	0
c) the dispute had been previously considered by another ADR body or the court	1	1%
d) the value fell below the monetary value	0	0
e) the consumer did not submit the disputes within the time period specified	8	15%
f) dealing with the dispute would have impaired the operation of the ADR body	0	0
g) other (enquired too early, not yet complained to trader, trader not member, advice call etc...)	39	71%

- (f) the percentage of alternative dispute resolution procedures which were discontinued for operational reasons and, if known, the reasons for discontinuation;

	No. discontinued	Percentage of discontinued
Discontinued for operational reasons	51	100%

Reasons for discontinuation:

- The subject matter of the dispute did not fall within the scope of what CEDR can consider under its Scheme Rules – 41 cases

- The consumer voluntarily withdrew their case before it could be taken forward to a final outcome – 10 cases

(g) the average time taken to resolve domestic disputes and cross-border disputes;

	<b>Domestic</b>	<b>Cross-border</b>
Average time taken to resolve disputes (from receipt of complaint)	61.8 days	N/A
Average time taken to resolve disputes (from 'complete complaint file')	41 days	N/A

Total average time taken to resolve disputes	51.4 days
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(h) the rate of compliance, if known, with the outcomes the alternative dispute resolution procedures (amongst your members, or those you provide ADR for)

As far as CEDR is aware, 100% of traders have complied with outcomes.

CEDR 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 CEDR suspended. If non-compliance persists, the trader's membership of CEDR is terminated.

***(i) This point has been removed in amendments on 1 January 2021***

Please add any additional information or data you think might be useful or interesting at the bottom of this report.

## Schedule 6 – CEDR – 1 August 2021 to 31 July 2023

Information which an ADR entity must communicate to relevant competent authority every two years

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

No. enquiries received (domestic)	No. enquiries received (cross-border)	No. disputes received (domestic)	No. disputes received (cross-border)	No. disputes accepted (domestic)	No. disputes accepted (cross-border)
Not known*	0	2033	0	1857	0

\* CEDR does not hold data on the number of enquiries it receives.

Types of disputes:

- Funerals and estate planning disputes – 164
- Holidays and travel disputes – 18
- Home building and residential disputes – 1851

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

Reason	No. disputes discontinued	Percentage discontinued
Rejected for operational reasons	105	60%
a) the consumer has not attempted to contact the trader first	15	8%
b) the dispute was frivolous or vexatious	0	0
c) the dispute had been previously considered by another ADR body or the court	1	1%
d) the value fell below the monetary value	0	0
e) the consumer did not submit the disputes within the time period specified	11	6%
f) dealing with the dispute would have impaired the operation of the ADR body	0	0
Case withdrawn by consumer	27	15%
Case withdrawn by trader	0	0
Solution reached without ADR	0	0
The trader was not a member of the ADR scheme (if this is a requirement)	17	10%

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

	<b>Domestic</b>	<b>Cross-border</b>
Average time taken to resolve disputes (from receipt of complaint)	58.7 days	0
Average time taken to resolve disputes (from 'complete complaint file')	39.6 days	0

Total average time taken to resolve disputes	49.15 days
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(d) the rate of compliance, if known, with the outcomes of its alternative dispute resolution procedures;

As far as CEDR is aware, 100% of traders have complied with outcomes.

CEDR 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 CEDR suspended. If non-compliance persists, the trader's membership of CEDR 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;

Identifying vulnerable customers quickly and accurately, as well as providing them with relevant assistance and reasonable adjustments will increase the likelihood that those customers' problems will be resolved in an effective and timely manner, avoiding the need for such disputes to be referred to ADR.

Providing an accessible and responsive customer service function is an essential for all public-facing companies, particularly when an increasing number of consumers are affected by health, financial and other social vulnerabilities. Improving the work of customer service functions to equip them with the tools to identify and resolve issues quickly is a key tool in preventing complaints from escalating into disputes that are referred to ADR.

***(f) This point has been removed in amendments on 1 January 2021***

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

CEDR supports the continuing training and development of its ADR officials. In this reporting period, training has been provided to ADR officials on best practice on decision-making techniques, including writing decisions for a consumer audience and providing effective closure to disputes.

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

CEDR continues to offer a highly effective alternative dispute resolution procedure which has evolved and innovated during the period covered by this Biennial Report.

Changes have been made to the procedural rules that govern the process by which a number of cases are run by CEDR, as well as the powers of the adjudicators. The changes have included the introduction of a process designed to facilitate the parties in resolving their disputes by mutual agreement prior to going to adjudication, avoiding the need for an adversarial process. They have also included the production of summary procedural rules that contain highlights of the most important rules for consumers to be aware of. This has resulted in a more streamlined process geared towards effective dispute resolution that is clear to all stakeholders.

Please add any additional information or data you think might be useful or interesting at the bottom of this report.