



**Better conflicts, Better outcomes, Better world**

## **CEDR Complaints Procedure**

We set high standards across the full range of services we offer and we work to the CEDR Caseworker Competency Framework. Whilst we aim to achieve those standards all of the time we have a procedure for dealing with complaints that ensures they are given proper care and attention. Complaints can be made by any user of CEDR's services, including both consumers and subscribing companies.

CEDR aims to provide a responsive and timely service to all users of our service. We will:

- treat all complaints seriously and deal with them properly;
- address complaints promptly; and
- learn from complaints and take action to improve our service. We can, however, only deal with complaints that raise concerns about poor administration and customer service received by our Case Officers.

We cannot investigate complaints about:

- decisions made by our adjudicators and arbitrators, or any of the decision process they adopt; (please note that adjudicator/ arbitrator decisions are final and cannot be appealed and this includes situations where objections have been upheld);
- the content or validity of the procedures, rules or timescales of any of the services we provide, although we will consider suggestions for improvements as we consider appropriate;
- any business decision made by CEDR; or
- complaints which, in our opinion, are unclear, unreasonable, persistent or vexatious.

Complaints must relate to a case that has reached an outcome through one of CEDR's ADR Schemes. This means your case must have reached one of the following three stages:

- Your case has been withdrawn from a scheme after it commenced
- You have reached a settlement from the company that you were in dispute with
- An adjudicator/ arbitrator has issued a final decision on your case.

Furthermore, your complaint must be brought to us within two months of the date on which your case reached one of the above stages. Complaints that are brought to us more than two months later will not be reviewed under any circumstance.



A consumer who is dissatisfied with an adjudicator/ arbitrator's decision is free to reject the decision, in which case it will have no binding effect. Furthermore, use of CEDR as an alternative dispute resolution (ADR) provider does not affect any party's rights to access court.

Every service complaint that CEDR receives will be handled in line with the following three stage process

### **Stage 1**

In the first instance, complaints should be addressed to the Complaints Team where the matter will be referred to a complaints manager who will have 30 working days in which to provide a written response. In making your complaint, you will need to be clear not only about the nature of your complaint but also what you would like us to do about it. The Complaint Form provided is used for this purpose and must be submitted with each complaint. If your complaint is about the adjudicator or arbitrator's decision, CEDR will write to you to advise that your complaint does not fall within scope along with the reason (s) as to why we cannot review the substance of your complaint. This determination is not reviewable or open to appeal. The Complaint Form is accessible [here](#).

Please note that if you have requested that a response is posted to you, this will be received on or before the 30th working day.

### **Stage 2**

A complaints manager will usually be able to resolve your complaint. If, however, you remain dissatisfied with the handling of your complaint or the outcome of the Manager's review of your complaint, you may request, within 4 weeks of receiving our response, that the Manager's decision is reviewed by a suitably senior member of CEDR staff, who was neither involved in your case nor the first stage review of your complaint. You will need to be clear and concise about the reasons for your request and what you would like to achieve from the review. The reviewer will respond to you in writing within 30 working days of the escalation request being made. Please note that you cannot escalate your complaint to Stage 2 if your complaint has been deemed to be outside the scope of the CEDR Complaints Procedure at Stage 1.



### **Stage 3**

If you remain dissatisfied with the written response to your complaint at Stage 2 you may request, within four weeks of receiving the response, to escalate your complaint to Stage 3. You must be clear about the reasons for your escalation request and the outcome you are looking for from the escalation.

The Stage 3 review will be carried out by the Independent Complaints Reviewer. The Independent Complaints Reviewer will respond to you in writing within 30 working days of the escalation request being made. The Independent Complaints Reviewer can make recommendations for actions to be taken by CEDR, which may relate to the specific complaint or to more general matters covered by the Complaints Procedure. Once you have received a written response at Stage 3, the CEDR Complaints Procedure will be at an end. There is no further escalation beyond Stage 3 and no right of appeal. Please note that in some exceptional circumstances this part of the review may take longer than 30 working days. If that is the case, we will advise you before the response due date.

Furthermore, the Independent Complaints Reviewer also assesses our performance in handling complaints about our service and any subsequent recommendations are presented to the relevant CEDR Director.

Important: CEDR may refuse to deal with a complaint if it considers it to be frivolous or vexatious. A vexatious complaint is a very narrow category of complaint. CEDR will refuse to accept a complaint where it is readily apparent that the consumer is pursuing a complaint which is entirely without merit and is made with the intention of causing inconvenience, harassment or undue expense to CEDR. A frivolous complaint is a complaint that has no serious purpose or value. We would apply the term frivolous to a complaint that has little merit or is of a trivial nature, or where to investigate it would be out of all proportion to the seriousness of the customer service issue(s) complained about.

The decision to reject a complaint on this basis is at the sole discretion of CEDR. In identifying frivolous or vexatious complaints, CEDR is careful not to prevent complainants who are raising genuine concerns from having access to the Complaints Procedure. We will achieve this by recognising that complainants may often be aggrieved, frustrated or have other reasons for their behaviour and, therefore, that the focus must be on careful consideration of the merits of the service complaint in its own right rather than the attitude of the complainant. CEDR also recognises that every complaint must be considered on its own merits and, even if someone has made a frivolous or vexatious complaint in the past, it must not be assumed that any other complaint they make will also be frivolous or vexatious. The need to consider every complaint on its own merits cannot be over-emphasised.



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Please also note that unreasonable levels of contact with, or harassment of, the Complaints Team could result in CEDR refusing to consider a service complaint any further, refusing to consider future service complaints and/or refusing to enter into further correspondence with a complainant in relation to the complaint. The complainant may be advised that their complaint is best dealt with in another forum. If a complainant repeatedly raises issues that are beyond CEDR's remit, insists that more time be spent on a complaint than is warranted or directs CEDR on how to handle the complaint, CEDR will consider these demands to be unreasonable. If a complainant makes unreasonable demands, CEDR will review which issues will be considered and how communication should occur between the complainant and CEDR. CEDR may apply its Unacceptable Behaviour Policy in these circumstances.

If you require any assistance completing the Complaint Form, please let the team know. This may require providing the Complaint Form in another format.