

Communication and Internet Services Adjudication Scheme (CISAS)
Report of the Independent Complaint Reviewer
for the period 1 January 2024 to 31 December 2024

1. Introduction

As the newly appointed Independent Complaints Reviewer (ICR), this is my first report for CISAS (“the Scheme”), which is run by CEDR (the Centre for Effective Dispute Resolution). It deals with complaints made about various providers who are members of the Scheme.

This report covers the twelve month period from 1 January 2024 to 31 December 2024. Normally, these reports are provided at six-monthly intervals, but unfortunately there was no ICR in post in July 2024 and my appointment did not take effect until August 2024. Future reports will resume their usual frequency and therefore the next one will be for the six month period January to July 2025.

2. Background

I am an independent consultant. I work remotely and I am not an employee of CEDR. I am not involved in direct case handling or advice; my role is purely to act as an Independent Complaint Reviewer.

CEDR is a registered charity and non-profit organisation. It provides independent dispute resolution for consumers who experience problems with a company and who have exhausted their internal complaints procedure.

3. My Role

There are two aspects to my role:

- To review cases that are escalated to me at Stage 3. This happens when a user of the Scheme has complained and, having been through CEDR’s complaints review process, remains dissatisfied. Under my Terms of Reference and the Complaints Procedure, I can consider complaints about CEDR’s *handling* of the complaint, but *not* about a decision made by an adjudicator, the process by which that decision was reached or the procedure adopted by the adjudicator.
- To review complaints about the Scheme as a whole and produce a report every six months. This is based upon my examination and analysis of all or some (as I deem appropriate) of the complaints handled by CEDR, along with any cases that were escalated to me.

4. Complaints Review Policy and Process

CEDR’s Complaints Review Policy and Process explains its scope, along with the two internal stages of review that take place before, if necessary, a complaint is referred to me. It provides clear information about timescales and what can be expected. In brief, if after the Stage 1 response complainants remain dissatisfied they can ask for escalation to Stage 2 of the process, in which a senior manager will review the complaint. If this does not resolve the matter, it can be referred to me for independent review at Stage 3.

5. My Findings

(1) Statistics

In the course of the calendar year January to December 2024, a total of 6,805 complaints were made via CISAS:

- 5,124 were in scope
- 1,681 were out of scope (withdrawn/closed rejected)
- 835 were not upheld
- 1,544 were found in favour of the claimant in full or in part
- the total of adjudicated claims was 2,739.

During the same twelve month period, CEDR received a total of 44 complaints, in the main spread fairly evenly over the year. Five of these complaints were still in progress at the yearend (the 30 working day response period having not expired) and therefore are not included in my analysis.

- 12 cases were deemed partly in scope, of which 7 were not upheld and 5 were partly upheld;
- 13 cases were deemed wholly out of scope; and
- 14 cases were in scope, of which 4 were not upheld, 2 were upheld and 8 were partially upheld

For the 14 cases where it was felt appropriate, a total of £1,188.00 compensation was offered to complainants, an average of around £85.00 per case, the lowest amount being £20.00 and the highest £150.00.

All complaints were addressed within the appropriate timescale, with only a very few minor exceptions, namely two cases where the complaint response was delivered one day after CEDR's deadline and two cases where an acknowledgment was issued one day after CEDR's internal deadline. But I would consider these as *de minimis*.

Only one case was escalated, firstly to Stage 2 and then to me at Stage 3. This is referred to further below.

(2) Cases

I reviewed a random sample of 32 cases (about 82% of the total). My observations are as follows:

In Scope

- (i) 13 of the 32 complaints were deemed in scope.
- (ii) Six of the complaints involved issues of disability, usually allegations that the customer's disability had not been taken into account and that 'reasonable adjustments' had not been made in line with legislation:
 - two were not upheld on grounds that no evidence of disadvantage was found;
 - four were partially upheld, but for reasons of either service failings or errors rather than alleged disability.

In one of the cases it was felt that, although no evidence of discrimination was found, the customer should have received additional support in line with the published Reasonable Adjustment Policy

(iii) Four complaints were partially upheld:

- the first case, where the customer had not been advised that he needed to submit his complaint using the designated form rather than email (offered £20.00);
- the second case, where the customer alleged a failure to respond to calls, general service failings and data breaches: it was partially upheld on the basis that some manager calls had not been actioned (offered £150.00);
- the third case, where the customer complained that compensation had been paid to his account with his service provider rather than to his personal account: this was partially upheld and £30.00 offered; and
- in the final case, the customer alleged that two separate complaints had been combined and then closed both in error, that he had been “forced” into accepting a settlement offer and that he had received poor customer service. This was partially upheld as his case had been closed incorrectly and also a telephone appointment had been missed; he was offered a total of £125.00. This customer had been particularly abusive to staff during telephone calls and his complaint that they had hung up his calls was, quite properly, rejected.

(iv) Two complaints were rejected:

- the first being where the customer complained that several extensions had been given to the service provider; and
- the second where the customer complained that he had not received full payment from the service provider.

In the first case, no evidence of any service failing was found and in the second, it was confirmed that full payment had been made and that the case had been properly closed.

(v) Only one case was appealed to Stage 2 and then to Stage 3. The customer alleged that evidence that she had submitted had not been uploaded to the CISAS file in a timely fashion and that this had prejudiced her case; she also alleged other minor service issues. At Stage 1, it was found that there had been some minor service failings and she was offered £50.00. At Stage 2, her appeal was not upheld, but the offer was increased to £75.00. I dealt with the case at Stage 3 and found on the evidence no reason to uphold her appeal.

Out of Scope

(i) Eight complaints were deemed wholly out of scope:

- Five of these complaints again involved dissatisfaction with an adjudicator’s decision, which were clearly out of scope. These included allegations that a complaint had not been properly investigated, that “false information” had been taken into account and that there was no appeal against the adjudicator’s decision. All of these were clearly out of scope.
- Two further cases raised complaints concerning the process and so were ruled out of scope.

- One case concerned a complaint that an apology letter had been uploaded to the portal rather than sent direct to the customer, but it was ruled that the provider had complied with the rules.
- Finally, a customer complained that a provider had not complied with an adjudicator's decision. This was considered out of scope as it did not relate to either administration or customer service and so CEDR was not in a position to enforce the decision.

Partly in Scope

- (i) A total of 11 complaints were considered partly in scope.
- (ii) Four complaints were partially upheld:
 - The first complaint related to delays in progressing the case and also the customer was unhappy with the adjudicator's decision; the latter was rejected as out of scope but £150.00 was offered for not progressing the case effectively.
 - The second complaint also expressed dissatisfaction with the adjudicator's decision, which quite properly was ruled out of scope, together with failings in customer service, for which the customer was offered £85.00.
 - The third complaint also raised dissatisfaction with the adjudicator, alleging that evidence had not been considered, and that a message posted to the portal had received no response. Again, the former was properly rejected as out of scope whilst £30.00 was offered for the failure to respond to the message.
 - The fourth complaint also raised various issues as regards the adjudicator's decision, including the non-availability of an appeal process. This, of course, was out of scope, but the customer's complaint relating to a data protection issue did merit an offer of £63.00 for minor inconvenience.
- (iii) The remaining seven complaints were not upheld:
 - Five of these complaints raised issues regarding the adjudicator's decision and accordingly were rejected.
 - Other issues raised in these five cases included the handling of a SAR (Subject Access Request) under the Data Protection Act; dissatisfaction with the level of service; that the provider had "lied" in their defence; that reasonable adjustments had not been made to reflect the customer's alleged autism; and that CISAS had altered a complaint submission.
 - All of these secondary complaints were also rejected on the basis that there was no evidence to support them.
 - The remaining two cases involved respectively (a) an allegation that CEDR had not dealt with enforcement of an adjudicator's decision; and (b) the length of time taken for a provider to respond to the complaint. Both complaints were rejected.

6. Conclusion

My comments below apart, I have no specific observations and I have found no evidence of any themes or causes for concern.

- (i) I did note that of the 32 cases I reviewed, a significant number (seven) involved the complainant claiming to have a disability and consequently the need for reasonable adjustments. I draw no particular conclusions from this, particularly as, overall, the cases were handled with appropriate sensitivity, but it does underline the importance of staff being aware of the customer's specific needs.
- (ii) I also noted that about a third of complainants (10 out of 32) continue to press for reviews of, or appeals against, the decisions of adjudicators, despite it being made clear in CEDR literature that these decisions are final. I am aware that this observation has been made in the past by my predecessors.

CEDR handled the complaints they received to a good standard and addressed all of the complainants' concerns in their responses. Indeed, I have to congratulate the complaints team for their considerable patience in dealing with some of the more difficult complaints.

Timescale performance was also very good with acknowledgements and responses all either within, or well within, target.

7. Recommendations

I have no recommendations to make.

I conducted my review remotely, but I was provided with all the data and information required for this report and I had open and unrestricted access to the systems and records that I needed. I am grateful to CEDR for facilitating this.



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Independent Complaints Reviewer

12 March 2025