



ADR Annual Report

October 2022 – September 2023



In June 2015, Flexible Resolution Services (FRS) – previously Ombudsman Services – was approved by the Chartered Institute of Trading Standards (CTSI) to provide alternative dispute resolution (ADR) services under the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 (the Regulations).

As part of that approval, under Schedule 5 of the Regulations, FRS is required to produce an annual activity report that containing the below information:

a) The number of domestic disputes and cross-border disputes the ADR entity has received.

FRS received 1,056 disputes during the reporting period. A dispute is defined as a request from a consumer notifying FRS of an unresolved complaint for investigation. Of these cases 495 fell within scope of what FRS can deal with.

None of the total cases received related to Cross Border disputes.

b) The types of complaints to which the domestic disputes and cross-border disputes relate.

The following table sets out the types of domestic disputes that were referred to FRS that were within the reporting period and came within the scope of what FRS can deal with.

Complaint Type	Number of cases
Claims	120
Repair	168
Quality of Service	96
Sales	41
Other	70
Total	495

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.

Issues relating to repair continue to be the most common complaint type, over claims complaints. We've seen a number of complaints where links for a replacement appliance have been sent to the consumer. The consumer has clicked a link to select a replacement appliance, but the consumer has been disappointed with the specification of the replacement product and this has caused further queries.

We've also seen cases where consumers have complained about the standard of the annual service on their boiler. Consumers say the boiler hasn't been serviced in line with the manufacturer guidelines.

The terms and conditions say the service will be completed in in line with the manufacturer's guidelines, but we have seen a number of cases where these guidelines haven't been met.

- 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.**

In instances where a further dispute occurs relating to replacement appliances, we consider that the trader could provide better communication pathways. In addition to the replacement appliance link provided, we consider it reasonable for the trader to also publish confirmation and details that the consumer can also contact them direct to discuss alternative appliances. This would serve to provide a better consumer journey.

Regarding annual servicing of boilers, again better communication is needed. To manage a consumer's expectations, we feel that terms and conditions around the service should be made much clearer. Given the fact that we have seen evidence that the service has not been fully carried out, there is also a requirement for the trader to train staff appropriately to ensure that the boiler service is completed to the required standard on all occasions.

- e) The number of disputes which the ADR entity has refused to deal with and upon what grounds.**

FRS did not record any disputes that we had refused to deal with.

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

The number of complaints that were discontinued by FRS during the reporting period for operational reasons was 516. The table below illustrates the percentage breakdown of the reasons for the discontinuation. In addition, 45 consumers decided to withdraw their complaints from the process.

Reason for refusal	% of cases
The subject matter of the dispute did not fall within the scope of what FRS can consider under its scheme rules	0%
The consumer submitted an incomplete application to FRS which could not be taken forward owing to the lack of information	100%
The trader that the consumer is complaining about was not registered with FRS as its ADR entity	0%
The consumer was not a 'customer' of the trader	0%

- g) The average time taken to resolve domestic disputes and cross-border disputes.**

The average time taken to resolve a domestic dispute is 28 days. No cross-border disputes were received.

- h) The rate of compliance, if known, with the outcomes of the alternative dispute resolution procedures.**

Data to confirm the rate of compliance is not currently available. However, FRS follows a process to pursue any trader that fails to implement a binding decision within the required timeframe.

FRS will review the membership status of any trader that fails to comply with a binding decision, with a view to terminating that membership.

- i) **The co-operation if any, of the ADR entity within any network of ADR entities which facilitates the resolution of cross-border disputes.**

FRS has not needed to co-operate with other ADR entities, as we received no Cross Border disputes.



**Flexible
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Getting in touch

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Additional support:

We are committed to treating everybody with fairness and respect. Our commitment includes providing additional support to consumers needing help to access our services fully.

Please see below some of the services we can help with:

- Speaking to us in a foreign language & translation services
- Visual impairments (including Braille)
- Hearing impairments (including Sign language)
- Accessibility

If you need anymore information or would like to request access to any of the services above, you can do this over the phone, online or in writing.

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