



ADR Provider Bi-annual Report 2018-19 ProMediate (UK) Limited

Schedules 5 and 6 of the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations.

This was the fourth year of operation and again there was minimal publicity given to the Regulations and no enforcement of any breach of the Regulations that we were aware of. There has been no planning for dealing with the EU Platform following Brexit. A “no deal” Brexit would jeopardise our work to date and the grant which we have applied for. Brexit would be a disaster for our business.

SCHEDULE 5

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

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

1 October 2018– 30 September 2019

46 (the number of disputes reduced slightly as we are no longer dealing with Carpetright disputes)

0 cross border

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

<p>Disputes concerning lawyers and legal services. Gambling disputes (Gambling Commission) Credit hire and repair (Auxillis) Domestic building disputes Purchase of shoes (Clarks) Second hand car purchase and car repairs Disputes concerning fireplace installation (Hetas) Disputes concerning building coatings (Coatings Made Simple) White goods purchase (Whirlpool) Complaints about holidays (SunMaster and Global Travel) The majority of matters we deal with relate to gambling operators and credit hire repair services.</p>

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;

We are aware of disputes concerning vehicle sales and repair, the purchase of electrical items, the supply of legal services, disputes with builders where the retailer, builder or lawyer refuses to use ADR.

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 relation to building work disputes would reduce if builders provided accurate estimates for the work done and recorded variations to contracts.
Generally, disputes could be resolved if parties agreed to use ADR or had to do so before commencing or defending court proceedings. There is little incentive for traders to use ADR and we are not aware of any enforcement action for breach of the Regulations.

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

We have not refused to deal with any disputes. Sometimes traders have refused to use ADR.

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

We have not discontinued any ADR procedures for operational reasons.

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

Average time in days – average 14 days from notification – domestic only. Our average times have reduced owing to not dealing with Carpetright disputes any more.

h) the rate of compliance, if known, with the outcomes of the alternative dispute resolution procedures;

100%
Customers would complain further but have not returned.

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

Not applicable

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

a)-d) as above

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

1 October 2017 – 30 September 2018

61

0 cross border

1 October 2018– 30 September 2019

46 (the number of disputes reduced slightly as we are no longer dealing with Carpetright disputes)

0 cross border

Total 1 October 2017 – 30 September 2019 107

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

Disputes concerning lawyers and legal services. Gambling disputes (Gambling Commission) Credit hire and repair (Auxillis) Domestic building disputes Purchase of shoes (Clarks) Second hand car purchase and car repairs Disputes concerning fireplace installation (Hetas) Disputes concerning building coatings (Coatings Made Simple) White goods purchase (Whirlpool) Complaints about holidays (SunMaster and Global Travel) The majority of matters we deal with relate to gambling operators and credit hire repair services.
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The percentage of alternative dispute resolution procedures which were discontinued before an outcome was reached.

We have not discontinued any ADR procedures as we always reach a conclusion even if this is “no settlement”

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

Average time in days – average 16.5 days from notification
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h)the rate of compliance, if known, with the outcomes of the alternative dispute resolution procedures;

100%

Customers would complain further but have not returned.

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;

See above - The Regulations should be amended to make use of ADR compulsory. Too many traders signpost to consumers but then say that they don't use ADR as they are satisfied with their internal customer complaints departments.

f)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;

As above. We are not a member of any network.

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

We do provide training to our ADR officials to include providing them with a guide to telephone mediation and precedents as well as practice telephone mediations for new officials. All our ADR officials are members of the Civil Mediation Council and certify that they have completed Continuing Professional Development annually.

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

We have assessed our performance and the feedback received and consider that we continue to perform well. This is demonstrated by our 5 star feedback on google reviews. <https://g.page/promediate/review> There is always room for improvement and we intend to focus on the following areas:

Shortening completion times – by pressing traders for a response within the 28 days we aim to resolve disputes and emphasising this objective. If we receive the EU grant we will be able to promote ADR services to businesses in the UK, increasing ADR uptake.