

Schedule 5 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) report when it is 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.

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 1st 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 report.



Schedule 5 - <<ADR BODY>> - <<Reporting period>>

Information to be included an ADR entity’s annual activity report

- (a) the number of domestic disputes the ADR entity has received;
(This is the total number including enquiries received, cases handled and disputes rejected)

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)
328*	n/a	124	n/a	101	n/a

- (b) the types of complaints to which the domestic disputes and cross-border disputes relate;
(please state as many different types as required)

ENERGY GENERATORS

- Solar PV, Battery Storage and Other (Non-MCS energy generators).
- Air Source Heat Pump and Ground Source Heat Pump.
- Solar Thermal and Biomass.

CATEGORIES OF DISPUTES

- Awareness of RECC / Consumer Protection (including staff training)
- Microgeneration Certification Scheme
- Marketing and selling
- Estimates / quotes, including performance estimates and financial incentives
- Finance agreements
- Contracts and cancellation rights
- Taking and protection of deposits and advanced payments
- Completing the installation
- After-sales (guarantees, workmanship warranties and warranty protection, after-sales support: customer service)
- Complaints (numbers, handling, procedures)

- (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;
(please provide description)

Solar PV and Related Products (e.g. battery storage)	Heat Technologies (heat pumps and biomass)	Across Technologies
<ul style="list-style-type: none"> - Mis-selling of financial benefits of the system. - Use of pressure selling techniques. - Product faults with panels, inverter, and generation meter. - Underperformance of solar PV system. - Mis-selling of related products. 	<ul style="list-style-type: none"> - Mis-selling: system sold on the basis of RHI income covering loan repayments. - Running costs significantly higher than expected. - Installation issues: heat pumps incorrectly installed and poor workmanship. - Product issues: heat pumps incorrectly sized and product failures. - Performance issues - Heat pumps with high noise levels. 	<ul style="list-style-type: none"> - Cancellation of contract and failure to refund deposit and advance payment. - Poor customer service. - Disputes over additional works completed. - Failure to provide all documentation. - Failure to complete installation within a reasonable timeframe.

- (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;
(please provide as much information as possible)

- Organise training for Code Members on customer service and handling consumer disputes effectively and efficiently.
- Arrange webinars for Code Members on key consumer protection areas, share knowledge on problem areas and discuss best practice to address them.
- Work collaboratively with the Microgeneration Certification Scheme to improve the technical competency of Code Members through MCS Standards particularly for heat technologies.
- Work with MCS to develop a centralised way to issue consumers with all relevant documents on completion of an installation.
- Improve the accuracy of the financial benefit information given to consumers at the pre-contractual stage.

- (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;
(please provide a breakdown of reasons and a total number)

Total no. of disputes rejected	23**
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Reason	No. rejected	Percentage of rejected
a) the consumer has not attempted to contact the trader first		
b) the dispute was frivolous or vexatious		
c) the dispute had been previously considered by another ADR body or the court		
d) the value fell below the monetary value		
e) the consumer did not submit the disputes within the time period specified		
f) dealing with the dispute would have impaired the operation of the ADR body		
g) other (enquired too early, not yet complained to trader, trader not member, advice call etc...	23**	

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

	No. discontinued	Percentage of discontinued
Discontinued for operational reasons	n/a	

Reasons for discontinuation: n/a

- (g) the average time taken to resolve domestic disputes and cross-border disputes;
(please provide the average time from receipt of complaint to closure, AND the average time from complete complaint file to closure)

	Domestic	Cross-border
Average time taken to resolve disputes (from receipt of complaint)	8 weeks	n/a
Average time taken to resolve disputes (from 'complete complaint file')	9 weeks	n/a

Total average time taken to resolve disputes	8.5 weeks
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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)
(this is the number of traders who complied with the proposed outcome. Please provide a percentage)

For our mediation procedure, the rate of compliance with outcomes is 100%. Dispute are closed when both parties have complied with the terms of resolution.

(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.

(any extra data provided is useful)

Points to Note

*RECC do not record enquires separately. This is the total number of all complaints received in the relevant period.

**RECC do not “reject” disputes, rather disputes which we are unable to handle for various reasons are closed on receipt. The reasons include the following:

- disputes which fall outside our remit i.e., contract signed for a product which is not an energy generator or a related product.
- disputes where the Code Member has ceased trading
- disputes against a company who are not a Code Member
- disputes against a former Code Member