

Alternative Dispute Resolution (ADR) – annual activity report 2015/2016

In this report we focus on data we are required to publish under The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015. This is our annual activity report and all figures relate to the period 9 July 2015 – 8 July 2016.

The report covers the requirements listed in schedule five of the regulations. These figures don't include complaints brought by micro-enterprises¹ but may include complaints brought by charities and trusts due to the way we record complaints.

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

number of complaints received from consumers living within the UK	323,784
number of complaints received from consumers living outside the UK	3,026

number of complaints received about businesses trading within the UK	325,543
number of complaints received about businesses trading outside the UK	1,267

total number of complaints	326,810
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The totals above include those cases which were dismissed or discontinued (see tables e) and f) below).

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

¹ An enterprise which:

1. (a) employs fewer than 10 *persons*; and
2. (b) has a turnover or annual balance sheet that does not exceed €2 million.

In this definition, "enterprise" means any *person* engaged in an economic activity, irrespective of legal form and includes, in particular, self-employed *persons* and family businesses engaged in craft or other activities, and *partnerships* or associations regularly engaged in an economic activity.

the types of complaints	number of complaints from within the UK	number of complaints from outside the UK	total number of complaints
banking	98,949	1,550	100,499
insurance	31,127	307	31,434
investments	8,304	451	8,755
pensions	4,337	169	4,506
PPI	181,067	549	181,616

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 share information about the complaints we see and our approach to resolving them in our [annual review](#), [ombudsman news](#) and in [insight reports](#) – all available on our website. We also share information and insight with the Financial Conduct Authority (FCA) to help with their operational objective to protect consumers and ensure markets work well. We also share our insights with trade bodies and businesses to help them improve industry standards and complaints handling.

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

As above, we share information about the complaints we see and our approach to resolving them in our [annual review](#), [ombudsman news](#) and in [insight reports](#) – all available on our website. We also share information and insight with the FCA to help with their operational objective to protect consumers and ensure markets work well. We also share our insights with trade bodies and businesses to help them improve industry standards and complaints handling.

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

The total number of cases dismissed – and the proportion they represent of all our cases.

excluding PPI		PPI		all	
1,461	1%	6,779	3.7%	8,240	2.5%

The percentages in the table below are based on the total number of cases dismissed.

reason case was dismissed	excluding PPI		PPI		all	
the complaint is frivolous and vexatious ²	94	6%	5,331	79%	5,425	66%
the subject matter of the complaint has been dealt with, or is being dealt with, by a comparable ADR entity	199	14%	12	0%	211	3%
the subject matter of the complaint has been subject to court proceedings where there has been a decision on the merits	97	7%	1	0%	98	1%
the subject matter of the complaint is the subject of current court proceedings ³	46	3%	0	0%	46	1%
dealing with such a type of complaint would seriously impair the effective operation of the Financial Ombudsman Service ⁴	893	61%	1,199	18%	2,092	25%
other	132	9%	236	3%	368	4%

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

A consumer may choose to withdraw their complaint for one of the following reasons

- 1) the consumer decided to withdraw from our process
- 2) the consumer agreed to be referred to another ADR entity
- 3) the consumer didn't supply the requested information or fails to provide it in time

² Including complaints about the mis-sale of payment protection insurance (PPI) when there was no PPI policy.

³ Unless proceedings are stayed or assisted (by agreement of all parties, or order of the court) so that the matter may be considered by the Financial Ombudsman Service

⁴ This may include cases which have already been dealt with by a court or a comparable ADR entity, or where all the parties are not joined in.

number of discontinued cases	total number of cases
6,496 (2%)	326,810

These figures may include complaints bought by micro-enterprises due to the way we record these complaints.

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

For ADR reporting purposes, we measure the period from the day we receive all of the information needed to start investigating the complaint and until the day we issue our first opinion.

This is different from the way we report about timeliness in the annual review – when we measure the period from when we accept the complaint until the date we close the complaint, either because both parties have accepted our opinion or because we have issued an ombudsman’s final decision.

The average time it takes to resolve a complaint is likely to change over time due to various factors.

type of complaint	average time
excluding PPI	22 days
PPI	83 days

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

We don’t currently record this information for all cases.

i) the cooperation, if any, of the ADR entity within any network of the ADR entities which facilitated the resolution of cross-border disputes

We continue to engage with other ADR schemes through our membership of the Financial Dispute Resolution Network (FIN-NET), International Network of Financial Ombudsman Schemes (INFO) and the Ombudsman Association. These international networks help out-of-court schemes like ours to share good practice and innovation – including how to refer customers to each other efficiently.