

## Your response

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<p><b>Question 1:</b> Do you agree with our provisional analysis of whether our rules which facilitate access to ADR are meeting our objective?</p>	<p>Confidential? – N</p> <p>We agree with Ofcom’s provisional analysis that the rules facilitating access to ADR are meeting the overall objective of the programme – namely, that procedures are easy to use, transparent, non-discriminatory and effective.</p> <p>We do not believe that the analysis takes full account of how increasing the regulatory burden could inhibit growth in the telecoms sector, particularly as the number of ADR cases that will benefit from the change is low at less than 4.5% thereby calling into question the justification for the proposed intervention in the market.</p>
<p><b>Question 2:</b> Do you agree with our proposal to modify the GCs to reduce the timeframe for access to ADR to 6 weeks?</p>	<p>Confidential? – N</p> <p>In our response to the call for input (2024), we expressed concern that Ofcom’s original proposal of 4 weeks would not be sufficient time for providers to resolve solvable cases.</p> <p>For the majority of cases, we do not oppose the new proposal of reducing the timeframe for ADR from 8 weeks to 6 weeks. Members indicated that this strikes a relatively fair balance between accelerating access for consumers, while allowing operators appropriate time to fully investigate issues.</p> <p>However, some members have indicated that this move could have a significant negative impact on some cases, and reducing the time for dealing with complaints may result in poor evaluation, leading to an increase in the number of complaints escalated to the ADR services.</p> <p>For instance, cases with a particularly “technical” nature often require the provider to collect, collate and provide call or traffic data, over a period of time, to indicate the presence (or lack thereof) of a particular fault scenario. This process can reduce the available time for diagnostic activity and business analysis in relation to achieving a mutually acceptable solution.</p> <p>Therefore, we ask that Ofcom have regard for certain cases which do require the full 8 weeks for ADR, due to</p>

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	<p>factors such as complex supply chains, and factors outside the control of providers, and consider making exceptions. This could include excluding certain cases from ADR, or continuing to apply the 8 week timeframe.</p> <p>We recommend that, over the next two years (until Ofcom's next statutory review of the scheme), Ofcom conducts information gathering to measure the impact of the changes on providers.</p> <p>Additionally, Ofcom must not reduce the timeframe any further in future consultations, as this would disproportionately and unnecessarily increase burdens on providers.</p>
<p><b>Question 3:</b> Do you agree with the findings of our provisional impact assessment?</p>	<p>Confidential? – N</p> <p>We welcome Ofcom's recognition that, in order for ADR to be effective, there must be a balance between allowing providers sufficient time to resolve complaints, and giving consumers access to ADR within a reasonable timeframe.</p> <p>However, as noted above (Question 1) we do not believe that the impact assessment has adequate regard for how this level of regulatory intervention could negatively impact the sector, including its growth prospects.</p> <p>We do not consider that the Impact Assessment included in this consultation is of sufficient depth to justify the intervention, especially in the context of the wider regulatory landscape where, in our view, there are higher priority areas on which action by Ofcom would have greater impact.</p>
<p><b>Question 4:</b> Do you agree with our proposed implementation period?</p>	<p>Confidential? – N</p> <p>No, we do not agree with the proposed implementation period of 6 months for the revised scheme. Instead, we are proposing that Ofcom change the implementation period to 12 months, to allow for structured adjustments to ensure compliance, while minimising disruption to both providers and consumers.</p> <p>Additionally, Ofcom should implement its revised ADR scheme via a phased approach. This would provide the opportunity for Ofcom to conduct further</p>

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	<p>information-gathering to assess the operational impact of the change, and make refinements before a full-scale implementation of the scheme.</p> <p>Further, changes to the scheme would require strategic and targeted communications – including an awareness campaign, provider-led initiatives, coordination with the wider industry, and engagement with third-party service providers in order to fully align processes, mitigate potential issues and ensure a seamless transition.</p>
<p><b>Question 5:</b> Do you agree with our provisional assessment and proposal to re-approve both schemes based on the approval criteria set out in the Act? Please provide your reasoning.</p>	<p>Confidential? – Y / N</p> <p>n / a</p>
<p><b>Question 6:</b> Do you agree with our proposed changes to the decision-making principles? Please provide your reasoning.</p>	<p>Confidential? – Y / N</p> <p>n / a</p>
<p><b>Question 7:</b> Do you agree with our proposed changes to the KPIs including the proposed implementation period? Please provide reasons.</p>	<p>Confidential? – Y / N</p> <p>n / a</p>

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