

## Your response

Question	Your response
<p><b>Question 1: Do you agree with the areas we are planning to cover as part of this review? Are there additional areas we should take into account?</b></p>	<p>Confidential? –N</p> <p>The FCS welcomes Ofcom’s review of ADR. A functioning and respected ADR process plays an important part in building confidence in the communications industry, which benefits consumers/small businesses and communication providers (CPs).</p> <p>The areas Ofcom are planning to cover in the review seem sensible.</p> <p>It is important that the review considers the views of all types of CPs as there can be additional complexity for smaller CPs/resellers in gaining required information. The FCS would be very happy to promote the review to its members or facilitate a discussion if that would be helpful.</p>
<p><b>Question 2: Do you have any comments on the issues raised in relation to these areas? Please provide any supporting evidence that you think we should take into account.</b></p>	<p>Confidential? – N</p> <p>Consistency is incredibly important to the success of any ADR scheme. It is important to both consumers/small businesses and CPs that it is clear <u>why</u> a dispute has been accepted or rejected and this should be a key part of the review.</p> <p>Some of our members have highlighted two areas in particular which would be worth exploring. Firstly, what happens when a CP has no record of a complaint having been received. Secondly, for business customers, what evidence is taken to check the employee size of a company to confirm whether the ADR request should be accepted.</p> <p>There doesn’t seem to be a way to challenge the acceptance of a case and some of our members have reported recent increases in the number of cases going through the process.</p> <p>Consistency is also important in goodwill payments. Some of our members have reported that the levels of goodwill/compensation payments seem to have increased dramatically over the past 18 months. This is set against a backdrop (as Ofcom has itself reported in various reviews) of generally reducing prices to consumers/small businesses. The FCS believes that this area</p>

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	<p>should be reviewed alongside the guidelines used for setting any payments, including a trend analysis over the past two years.</p> <p>When reviewing the timescale (eight weeks) for triggering access to ADR, the FCS believes it is important to consider the whole supply chain. Some of our members have reported that one of the biggest causes of complaints is engineer charge disputes. These can often take time to resolve, and FCS members are dependent on information being provided by wholesale providers. Any change to the ADR timescales must be accompanied by industry SLAs so that timescales can be met. Whilst the FCS welcomes attempts to reduce the time taken to deal with complaints in the long term, given the amount of change the industry is currently going through, now is probably not the right time to introduce any fundamental changes.</p>
<p><b>Question 3: Do you consider there are additional sources of information we should consider when undertaking our assessment of these areas?</b></p>	<p>Confidential? – N</p> <p>It would be helpful if Ofcom’s review looked at trends over the past couple of years so that there is a greater understanding across industry of key areas and to understand how the approach to ADR outcomes has evolved.</p> <p>It would also be useful to review whether there are any differences in statistics between consumer and small business customers.</p>

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