

Schedule 6 Kent County Council – 1 July 2022-30 June 2024

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

- (a) the number of disputes received by the ADR entity and the types of complaints to which the disputes relate;
(This is the total number including enquiries received, cases handled and disputes rejected with the subject of the dispute)

| No. enquiries received (domestic) | No. enquiries received (cross-border) | No. disputes received (domestic) | No. disputes received (cross-border) | No. disputes accepted (domestic) | No. disputes accepted (cross-border) |
|-----------------------------------|---------------------------------------|----------------------------------|--------------------------------------|----------------------------------|--------------------------------------|
| 49 | 0 | 57 | 0 | 41 | 0 |

Types of disputes:

- The vast majority relate to property improvement services
- We have also received complaints relating to:
 - Motor traders
 - A storage company
 - A trader checking service for allegedly not carrying out proper checks

- (b) the percentage share of alternative dispute resolution procedures which were discontinued before an outcome was reached;
(% which were discontinued and reasons)

| Reason | No. disputes discontinued | Percentage discontinued |
|--|---------------------------|-------------------------|
| Rejected for operational reasons | | |
| a) the consumer has not attempted to contact the trader first | 0 | 0 |
| b) the dispute was frivolous or vexatious | 0 | 0 |
| c) the dispute had been previously considered by another ADR body or the court | 0 | 0 |
| d) the value fell below the monetary value | 0 | 0 |
| e) the consumer did not submit the disputes within the time period specified | 0 | 0 |
| f) dealing with the dispute would have impaired the operation of the ADR body | 0 | 0 |
| Case withdrawn by consumer (includes cases where the consumer did not supply evidence in an acceptable format, so case could not be taken forward) | 3 | 18.75% |

| | | |
|--|----|--------|
| Case withdrawn by trader (includes cases where trader did not agree to take part in the process) | 11 | 68.75% |
| Solution reached without ADR | 2 | 12.5% |
| The trader was not a member of the ADR scheme (if this is a requirement) | 0 | 0 |

- (c) the average time taken to resolve the disputes which the ADR entity has received;
(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) | 150 calendar days | N/A |
| Average time taken to resolve disputes (from 'complete complaint file') | 16 calendar days | N/A |

| | |
|--|-------------------|
| Total average time taken to resolve disputes | 150 calendar days |
|--|-------------------|

- (d) the rate of compliance, if known, with the outcomes of its alternative dispute resolution procedures;
(this is the number of traders who complied with the proposed outcome. Please provide a percentage)

Unknown

- (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;
(please provide a description)

Trader to produce written record of what they understand to have been agreed and secure customer signature to confirm

(f) This point has been removed in amendments on 1 January 2021

- (g) where the ADR entity provided training to its ADR officials, details of the training it provides;
(Please provide a list of all training undertaken by ADR officials over the past 2 years)

All ADR officials are Chartered TS Practitioners and are required to carry out CPPD to retain their status. The Scheme does not provide training to its officials but relies on the CTSI CPPD scheme.

- (h) an assessment the effectiveness of an alternative dispute resolution procedure offered by the ADR entity and of possible ways of improving its performance.
(Please provide as much information as possible)

The procedure is as effective as it can be in a structure where only consumers can instigate a case. Changes to the system to allow both sides to instigate a case would help. Whilst the Courts are meant to ask about ADR before accepting a case, the ongoing voluntary nature of it holds it back as a means to resolve things quickly without excessive burdens on the court system.

The scheme is also held back by the limited funding models available. As a local authority service it cannot be subsidised by KCC as provider but it is often cheaper for businesses to refuse to take part and, instead, go to court.

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)*

Our outcome is only binding on traders who are members of specific subscribing organisations. Figures below relate only to cases involving those subscribing organisations:

75.63% of cases ruled in favour of the consumer

7.56% of cases ruled in favour of the trader

10.09% of cases ruled in favour of both parties

It was not possible to reach a conclusion in 6.72% of cases

We have seen a big reduction in the number of new cases received recently:

During the period July 2020-June 2021 we received 187 new cases

Between July 2021-June 2022 it was 243 cases

Between July 2022 and June 2023, 51 cases

And between July 2023 and June 2024, 7 cases