

CEDR Schemes
Report of the Independent Complaint Reviewer
For the period 1 January 2024 to 31 December 2024

1. Introduction

As the recently appointed Independent Complaints Reviewer (ICR), this is my first report covering schemes and services operated by CEDR, other than those that I review individually, namely the Communications and Internet Services Adjudication Scheme (CISAS), the Postal Redress Scheme (POSTRS) and the Aviation Adjudication Scheme, each of which are the subject of separate reports.

This report covers the twelve month period from 1 January 2024 to 31 December 2024. The next one will be for January to December 2025 and will be issued in February 2026.

2. Background

I am an independent consultant. I work remotely and I am not an employee of CEDR. I am not involved in direct case handling or advice; my role is purely to act as an Independent Complaint Reviewer.

CEDR is a registered charity and non-profit organisation. It provides independent dispute resolution for consumers who experience problems with a company and who have exhausted their internal complaints procedure.

3. My Role

There are two aspects to my role:

- (i) To review cases that are escalated to me at Stage 3. I can consider individual complaints about certain aspects of the level of service provided by the schemes or services run by CEDR and review cases where a user of those schemes or services has complained to CEDR and, having been through the complaints process, remains dissatisfied with the outcome.

Under my Terms of Reference and the Complaints Procedure I can consider complaints about CEDR's handling of the complaint (e.g. administrative errors, delays, staff rudeness or other such matters) but not complaints about a decision made by an adjudicator. Also, and where appropriate, I may make recommendations based on my findings.

- (ii) To review complaints about the schemes and produce a report every twelve months. This is based upon my examination and analysis of all or some (as I deem appropriate, but at least 80%) of the complaints handled by CEDR, along with any cases that were escalated to me.

4. Complaints Review Policy and Process

CEDR's Complaints Procedure explains its scope, along with the two internal stages of review that take place before, if necessary, a complaint is referred to me. It provides clear information about timescales and what can be expected. In brief, if after the Stage 1 response complainants remain dissatisfied they can ask for escalation to Stage 2 of the process, in which a senior manager will review the complaint. If this does not resolve the matter, it can be referred to me for independent review at Stage 3.

5. My Findings

Statistics

During the calendar year January to December 2024, a total of 1062 cases were received in the several schemes that are covered by this report, namely:

- RICS - Royal Institution of Chartered Surveyors
- CCNH - Consumer Code for New Homes
- CCHB - Consumer Code for Home Builders
- ICW - ICW Consumer Code for New Homes
- ISCAS - Independent Healthcare Sector Complaints Adjudication Service

These figures are given by way of background and context and the breakdown of the cases is shown in the tables below (ISCAS cases are handled in a slightly different way and are shown in the separate table):

Scheme	Claims Received	In Scope	Out of Scope	Adjudicated Claims	Upheld fully or partly	Not upheld or out of scope
RICS	417	401	6	287	74	213
CCNH	64	59	3	40	28	12
CCHB	369	336	33	263	155	108
ICW	48	41	7	36	24	12

Scheme	Claims Received	Adjudicated Claims	Goodwill Payment	No Goodwill Payment
ISCAS	164	94	60	34

During the same twelve month review period CEDR received a total of 25 complaints, relating to several homes and residential schemes as well their private healthcare scheme (ISCAS).

One of the 25 complaints was received in December 2024 and a decision was not due to be delivered to the complainant until January 2025. Therefore, it is not included in this report.

The remaining 24 complaints may be analysed as follows:

Scheme	In scope	Partly in scope	Out of scope	Upheld	Not upheld	Upheld in part
CCNH	1	1	2	0	0	2
Build Zone	0	1	1	0	0	2
CCHB	1	5	1	0	4	3
CIGA	1	0	2	0	0	1

Scheme	In scope	Partly in scope	Out of scope	Upheld	Not upheld	Upheld in part
ISCAS	0	2	1	0	1	1
RICS	0	2	2	0	1	1
TGAS	1	0	0	0	1	0
TOTALS	4	11	9	0	7	10

For the 24 completed complaints, a total of £880.00 compensation was offered to complainants, with the highest amount being £300.00 and the lowest £25.00.

Three complaints were escalated to Stage 2:

- (1) a CCHB case was upheld and compensation of £250.00 was offered;
- (2) an RICS case was partially upheld and compensation of £100.00 was offered; and
- (3) another CCHB case was partially upheld and the compensation offer increased to £160.00; this case was subsequently escalated to me at Stage 3, but I upheld the previous decision.

All complaints were addressed within the appropriate timescales, apart from one instance where a complaint was acknowledged one day outside the internal CEDR benchmark.

Cases

I have reviewed a random sample of cases (80%) and my analysis is set out below.

In Scope

I reviewed three from a total of four complaints, each of which was ruled as in scope initially. Two were not upheld; one was partially upheld and £120.00 compensation was offered.

The three cases involved different issues:

- (1) In the first case the consumer had difficulty making telephone and email communications with CEDR. Upon investigation, no evidence to substantiate the consumer's complaint was found and it was not upheld.
- (2) In the second case the consumer's complaint was initially accepted, but then subsequently rejected by the adjudicator as it was outside a 2 year warranty period. The complaint that this was an administrative error that caused inconvenience was not upheld, as the initial assessment of the complaint by CEDR does not include a detailed assessment of eligibility.
- (3) In the third and final case not all of the files submitted by the consumer were passed to the adjudicator initially. When this issue was referred to her, the adjudicator confirmed that the additional files would not have made any difference to the decision. Notwithstanding this, the complainant was offered £120.00 for stress and inconvenience.

Partly In Scope

I reviewed all 11 complaints, and these raised a variety of issues.

Seven were partially upheld, where there had been some elements of service failure, and a total of £435.00 was offered by way of compensation, ranging from £25.00 to £120.00. Four complaints were not upheld at all.

These seven complaints included matters relating to adjudicators, the process by which they had reached their decisions and the decisions themselves. All of these elements of the complaints were, quite properly, rejected as being out of scope.

The seven complaints also included various issues relating to service and administration.

One complaint raised allegations that no reasonable adjustments had been made for the complainant's disabilities. This was not upheld, as the Complaints Manager found no evidence of discrimination.

In another case, a complaint was accepted initially, but it was discovered subsequently that the company in question was no longer a member of the scheme. Consequently, this was ruled out of scope.

Three complaints were escalated to Stage 2:

- (1) The first case, referred to earlier, where the consumer claimed a lack of reasonable adjustments for her disability. Although this was not upheld, there was an additional complaint that the consumer had not had an opportunity to comment on the adjudicator's provisional decision. This had been upheld at Stage 1 and £50.00 compensation offered. This was increased to £100.00 at Stage 2.
- (2) The second case raised two grounds for complaint, namely (a) dissatisfaction with the adjudicator's decision and (b) that the case had been closed prematurely. The former had been rejected at Stage 1 as out of scope; whilst the latter ground of complaint was not upheld, £25.00 was offered for lack of clarity over the decision to close. At Stage 2, the Senior Manager went into some detail as regards the various points raised by the consumer, and increased the offer to £250.00.
- (3) The third case included allegations that the adjudicator had taken too long to reach a decision, and also questioned the adjudicator's qualifications and conduct. Both of these were ruled out of scope. Other allegations relating to case officer conduct, organisational response and compliance and a Subject Access Request under the Data Protection Act were not upheld. There was, however, some acceptance of a service failing as regards the delay in receiving the adjudicator's decision and £35.00 was offered at Stage 1. The escalation to Stage 2 was partially upheld and the offer was increased to £160.00. The consumer then escalated his complaint to Stage 3. I reviewed the complaint and all of the evidence; I agreed with the Stage 2 decision and did not uphold his appeal.

Out of Scope

I reviewed six out of scope complaints from a total of nine.

Three complaints raised dissatisfaction with the decision of an adjudicator or arbitrator and were of course, quite properly, rejected.

Of the remaining three complaints that were held to be out of scope:

- One complaint alleged unfairness because a decision had not been accepted within the required time frame and as a consequence had been recorded as rejected

- The second complaint was rejected where CEDR had refused to deal with it as it was out of time and
- The third and final complaint concerned a situation where a complaint had been accepted initially but then rejected when it was discovered that the developer was no longer a member of the scheme.

6. Conclusion

In summary, I have observed that 10 of the 20 complaints that I have reviewed involved allegations concerning an adjudicator or an adjudicator's decision, despite it being made clear in CEDR's literature that this is out of scope. This does seem to be a recurring theme not only in the cases that I have reviewed for this report, but also in cases that I have reviewed in my other reports. I am not sure whether this message could be any clearer for consumers, but the issue may merit further consideration. The respective scheme rules and published Complaints Procedure is explicit in that adjudicator decisions and complaints about the process are completely out of scope.

Save for this, I have no specific observations and I have found no evidence of any themes or causes for concern.

CEDR handled all of the complaints they received to a good standard and addressed all of the complainant's concerns in their responses.

Timescale performance was also very good with acknowledgements and responses on the whole either within, or well within, target.

7. Recommendations

I have no recommendations to make.

I conducted my review remotely, but had open and unrestricted access to the systems and records that I needed and I am grateful to CEDR for facilitating this.



Alan Squires LLB(Hons) LLM PGDipAML Solicitor
Independent Complaints Reviewer

24 February 2025