



Two-Yearly Report

2020

**For the purposes of compliance with Regulation 11 (and Schedule 5) of The
Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and
Information) Regulations 2015 (as amended)**

ADR Entity Name: **Consumer Dispute Resolution Limited (trading as 'AviationADR')**

Date of Publication on ADR Entity's website: **17th July 2020**

Time Period covered in this report: **1st April 2018 – 31 March 2020**

Date submitted to the CAA: **14th July 2020**

1. The number of disputes received by the ADR entity and the types of complaints to which the disputes related:

Eu Regulation 261 / 2004	
Complaint Type	Number of Complaints
Cancellation - Right to Care	149
Cancellation - Information	6
Cancellation - Compensation	17406
Cancellation - Refund	172
Cancellation - Alternative Flight	1236
Cancellation - Expenses	948
Delay - Right to Care	13
Delay - Information	2
Delay - Compensation	24800
Delay - Refund	100
Delay - Alternative Flight	8
Delay - Expenses	261
Denied Boarding - Selection for	0
Denied Boarding - Right to Care	3
Denied Boarding - Information	1
Denied Boarding - Compensation	1279
Denied Boarding - Refund	67
Denied Boarding - Alternative Flight	10
Denied Boarding - Expenses	62
Diverted	132
Downgraded	14
Article 9 (3) - Right to Care for persons with reduced mobility / unaccompanied children	8
Article 11 - Persons with reduced mobility of special needs	28
Other	2051
Total	48756

EU Regulation 1107 / 2006	
Complaint Type	Number of Complaints
Refusal to accept a reservation	2
Refusal to embark a passenger with a reservation	0
Pre-Notification not recorded / transmitted	0
Staff Attitude and behaviour	8
Information concerning a flight	2
Transport of mobility equipment	0
Seating	0
Seating of accompanying persons in a seat next to the the PRM	0
Assistance Dogs	0
Moving to the onboard toilet	0
Damaged and Lost Mobility equipment	0
Other	6
Total	18

Other	
Complaint Type	Number of Complaints
Medical Issue	82
Missed connections	48
Tickets & Fares	154
In-Flight Facilities and services	123
Delayed / Damaged / Lost / Stolen Baggage	1951
Cabin Baggage	316
Safety	2
Booking Problem	490
Complaint Process	2
Schedule Changes	42
Other	1717
Total	4927

2. The percentage share of alternative dispute resolution procedures which were discontinued before an outcome was reached:

Reasons for discontinuation (As Applicable)	% Share (of all refused)
Complainant out of contact	36.05
Complaint withdrawn by complainant	6.26
Consumer is belived by the ADR entity to have provided false or fraudulent information or documents (at any stage)	11.47
The Trader has misled the ADR entity with regard to a ground that may or may not exist for refusing to accept or continue with the resolution of a dispute	0.00
The consumer has been abusive to an ADR Official of the ADR Entity	0.00
Both the consumer and trader agree, including where a conflict of interest has been identified and it is not possible for the reasons referred to in this policy to transfer the ADR procedure to another ADR entity approved by the CAA	0.68
Duplicate complaint	45.54

3. The average time taken to resolve the disputes which the ADR entity has received:

60 days

4. The rate of compliance, if known, with the outcomes of its alternative dispute resolution procedures:

April 18 – March 19

99.2% - I) Air India failed to adhere to some determinations within the specified timeframe. II) Ryanair refused to accept AviationADR's position in relation to 'internal strikes'.

April 19 – March 20

100%

5. 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:

- **More proactive information as to consumer rights and greater signposting to ADR. Airlines only provide such information discretely on their websites and should instead make this information prominent. Airlines should also ensure that information they provide on consumer rights and redress appears prominently within internet search engines.**
- **More efficient systems for processing passenger compensation payments**

6. Where the ADR entity is a member of any network of ADR entities which facilitates the resolution of cross-border disputes, an assessment of the effectiveness of its cooperation in that network:

AviationADR is a member of Travel_Net, a group of ADR entities across the EU dealing with travel disputes. The group shares best practices and common issues seen with complaints in the travel sector. As such, the network is very effective.

7. Where the ADR entity provides training to its ADR officials, details of the training it provides:

AviationADR has a dedicated training and monitoring program for its ADR officials and wider ADR team.

Initial training

ADR officials attend a two-week classroom-based training course when joining AviationADR. They are paired with an experienced ADR official for a period of three months before sitting a competency test.

During training, ADR officials attend training sessions on the following areas:

- **EU Regulation 261/2004**
- **Extraordinary circumstances**
- **Reasonable measures**
- **Weather reports**
- **EU Regulation 1107/2006**
- **Montreal Convention**
- **Decision writing and drafting skills**
- **Key case law**

Ongoing training

AviationADR runs a ‘training day’ every month and conducts a one hour ‘team discussion’ every week. During the reporting period specific training has been provided in the following areas:

- **Extraordinary circumstances**
- **Level of information and evidence needed to satisfy the test of reasonable measures**
- **Claims relating to passengers with reduced mobility – training provided by the Civil Aviation Authority**
- **Case law updates**
- **Weather reports and other third-party reports**

ADR officials also have access to AviationADR policies and legal guides and receive regular updates.

8. An assessment of the effectiveness of an alternative dispute resolution procedure offered by the ADR entity and of possible ways of improving its performance:

AviationADR has carried out extensive improvements to the scheme during the reporting period, including:

- Further developing the online complaints portal
- Introduction of a dedicated consumer contact centre
- Implementing changes to internal process and procedures
- Additional training and decision monitoring

AviationADR operates an extremely effective and efficient ADR procedure, where complaints are being resolved swiftly, professionally and with the care and skill expected. Typically, final decisions are being published within 32 days of a complete complaint file, significantly quicker than the 90 days allowed under the ADR Regulations.

AviationADR carries out consumer questionnaires and seeks regular counsel from other stakeholders and professionals. The outcomes are used to continually improve the scheme.