

Schedule 5 – RICS Dispute Resolution Service – 1 January 2023 – 31 December 2023

Information to be included in an ADR entity's annual activity report

(a) the number of domestic disputes the ADR entity has received;

| No. enquiries received (domestic) | No. enquiries received (cross-border) | No. disputes received (domestic) | No. disputes received (cross-border) | No. disputes accepted (continued to case) (domestic) | No. disputes accepted (continued to case) (cross-border) |
|-----------------------------------|---------------------------------------|----------------------------------|--------------------------------------|--|--|
| 18 | 0 | 16 | 0 | 13 | 0 |

(b) the types of complaints to which the domestic disputes and cross-border disputes relate;

In November 2023 RICS Dispute Resolution Service were awarded the contract to provide adjudication services for disputes arising out of home improvement works between Which? Trusted Traders and their customers. The service is for the resolution of disputes arising from the construction, maintenance, repair, and other building-related works carried out on residential occupancies for claims up to and including £10,000.

Disputes eligible to use this service are referred to RICS by Which? after their internal complaints handling procedures (which may include mediation) have been exhausted.

All the disputes over the reporting period relate solely to the consumer home improvement dispute service there have been none in relation to the Consumer Mediation service .

Types of disputes:

All disputes relate to construction, maintenance, repair, and other building-related works carried out on residential occupancies. For example:

- Residential home improvement issues painting, plastering, double glazing.
- Bathroom/kitchen refits
- Construction defects such as leaks, building repairs, extensions.
- installation problems
- solar energy installation issues etc.

(c) a description of any systematic or significant problems that occur frequently and lead to disputes between consumers and traders of which the ADR entity has become aware due to its operations as an ADR entity;

In relation to construction matters that fall outside of the Which? Trusted Traders Service, we find contractors have undertaken work, and either do not set up a contract with the consumer or are not registered to any regulatory body and the consumer is unhappy with works completed and there is no recourse except for mediation, but the contractor refuses to co-operate.

- (d) any recommendations the ADR entity may have as to how the problems referred to in paragraph (c) could be avoided or resolved in future, in order to raise traders' standards and to facilitate the exchange of information and best practices;
It maybe helpful for improved promotion to both consumers and traders about the importance of ADR mechanisms when embarking on home improvement work. If the trader is not a Which? Trusted Trader, encourage them to think about alternative mechanisms to deal with disputes so they have a procedure should a dispute issue arise.
- (e) the number of disputes which the ADR entity has refused to deal with, and the percentage share of the grounds set in paragraph 13 of Schedule 3 on which the ADR entity has declined to consider such disputes;

| | |
|--------------------------------|---|
| Total no. of disputes rejected | 3 |
|--------------------------------|---|

| Reason | No. rejected | Percentage of rejected |
|--|--|------------------------|
| a) the consumer has not attempted to contact the trader first | | |
| b) the dispute was frivolous or vexatious | | |
| c) the dispute had been previously considered by another ADR body or the court | 1 | 6% |
| d) the value fell below the monetary value | 1 | 6% |
| e) the consumer did not submit the disputes within the time period specified | | |
| f) dealing with the dispute would have impaired the operation of the ADR body | | |
| g) other (enquired too early, not yet complained to trader, trader not member, advice call etc...) | 1 – had not complained to the trader and followed the Complaint handling procedure | 6% |

- (f) the percentage of alternative dispute resolution procedures which were discontinued for operational reasons and, if known, the reasons for discontinuation;

| | No. discontinued | Percentage of discontinued |
|--------------------------------------|------------------|----------------------------|
| Discontinued for operational reasons | 0 | 0% |

Reasons for discontinuation:

- (g) the average time taken to resolve domestic disputes and cross-border disputes;

| | Domestic | Cross-border |
|---|---|--------------|
| Average time taken to resolve disputes (from receipt of complaint) | 2-4 weeks | N/A |
| Average time taken to resolve disputes (from 'complete complaint file') | 35 days for the adjudication procedure as part of the Consumer Home Improvement Dispute Service If it is a mediation - This is dependent on cooperation of the parties a mediation is usually 2- 3 weeks | N/A |

| | |
|--|--|
| Total average time taken to resolve disputes | 7 weeks for an adjudication 7.5 weeks for a mediation |
|--|--|

- (h) the rate of compliance, if known, with the outcomes the alternative dispute resolution procedures (amongst your members, or those you provide ADR for)
[This information is not provided.](#)

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

Please add any additional information or data you think might be useful or interesting at the bottom of this report.