

Scheme Rules: Procedures and policies for Alternative Dispute Resolution (ADR)

The Motor Ombudsman

The Motor Ombudsman is certified as an Alternative Dispute Resolution (ADR) provider by Chartered Trading Standards Institute (CTSI). They are the competent authority for approving and auditing ADR providers for non-regulated sectors in the UK.



Chartered Trading
Standards Institute
ADR Competent Authority

The Motor Ombudsman is approved by Government under the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015

The Motor Ombudsman provides ADR for complaints brought by a consumer against a trader that is accredited to one or more of The Motor Ombudsman Codes of Practice.

To find out if a trader is accredited, use the [Business Finder](#).

The Motor Ombudsman's accredited businesses are required to engage with the ADR process and are bound by an ombudsman final decision where the consumer accepts it. The consumer can choose to accept or reject the ombudsman final decision.

The Motor Ombudsman's ADR process is free to consumers. There are no fees for submitting or handling a consumer dispute.

The Motor Ombudsman's Annual Report can be viewed on the [Annual Reports page](#).

Scope of the ADR process

The Motor Ombudsman uses early resolution, mediation, adjudication and, where required, an ombudsman final decision to resolve complaints. Mediation may be conducted by video conferencing, while most of the ADR process is conducted in writing, primarily through email. Postal communication can be considered through the reasonable adjustments process where needed.

The ADR service covers eligible consumer disputes with accredited businesses relating to:

- manufacturer warranties under the New Car Code;
- extended warranties and other warranty products under the Vehicle Warranty Products Code;
- vehicle sales, including new and used vehicle sales, under the Vehicle Sales Code;
- servicing and repairs under the Service and Repair Code; and
- faulty cars, unsatisfactory repairs, vehicle purchase issues, warranty issues and related aftersales disputes where the issue falls within the relevant Code of Practice.

The Motor Ombudsman generally handles disputes involving accredited businesses based in the UK, Northern Ireland, the Channel Islands or the Isle of Man. International consumers may be eligible where the transaction took place in one of these locations with an accredited business. The value of any award must not exceed GBP10,000 and/or, where appropriate, the value of the vehicle.

The service does not usually cover car finance claims, car insurance disputes, hire car complaints or disputes involving businesses that are not accredited to one of The Motor Ombudsman Codes of Practice. The Motor Ombudsman may signpost consumers to other organisations where it cannot handle a complaint.

Participation in The Motor Ombudsman ADR process may result in one or more of the following outcomes:

- an apology;
- an explanation of what went wrong;
- a practical action to correct the problem;
- a financial award, subject to the applicable award limit;
- a recommendation to the accredited business to avoid similar issues in future;
- an early resolution agreement or mediation agreement; or
- an adjudication outcome or ombudsman final decision.

The consumer has the choice whether to accept or reject any proposed solution or ombudsman final decision.

Accessibility

Supporting Vulnerable Consumers and Reasonable Adjustments

The Motor Ombudsman is committed to ensuring that its services are accessible, fair and inclusive for all consumers. The Motor Ombudsman is working to align its approach with ISO 22458:2022, Consumer vulnerability - Requirements and guidelines for the design and delivery of inclusive service, which focuses on fair, flexible and inclusive service design and reducing the risk of harm for consumers in vulnerable circumstances.

We recognise that some consumers may be in vulnerable circumstances or have additional needs that could affect their ability to engage effectively with our dispute resolution process. Vulnerability may be permanent, temporary or situational and can arise from a wide range of circumstances, including but not limited to:

- physical disabilities or health conditions;
- sensory impairments, including visual or hearing impairments;
- learning disabilities or difficulties;
- neurodivergent conditions, such as autism or ADHD;
- mental health conditions;
- cognitive impairment or memory-related conditions;
- serious illness or long-term medical treatment;
- bereavement, financial hardship, domestic abuse, safeguarding concerns or caring responsibilities;
- language or communication barriers; or
- significant life events or personal circumstances that may impact engagement with the process.

Identification of vulnerability and support needs. Consumers are given opportunities throughout their engagement with The Motor Ombudsman to tell us about any vulnerabilities or support requirements. This may include online forms, written correspondence, telephone conversations and other communications. Staff receive guidance on recognising potential indicators of vulnerability and

are encouraged to consider whether additional support may be required where circumstances become apparent during the handling of a case.

Reasonable adjustments. Where a consumer identifies a need for additional support, reasonable adjustments will be considered on a case-by-case basis to help ensure fair access to the service.

Examples may include:

- providing additional time for consumers to respond to requests for information;
- communicating through alternative channels, including telephone, email or post where appropriate;
- providing documents in alternative formats, including larger font sizes;
- using clear and straightforward language within communications;
- allowing a representative, advocate, family member or support worker to assist the consumer;
- taking account of health conditions, disabilities or personal circumstances when setting deadlines; and
- adjusting communication methods to accommodate individual needs where reasonably practicable.

Recording and managing support needs. Where a vulnerability or support requirement is identified, relevant information may be recorded securely within our case management system to ensure appropriate support can be provided consistently throughout the dispute resolution process. Information is handled sensitively and in accordance with data protection requirements.

Fairness and independence. The provision of reasonable adjustments does not affect the independence, impartiality or outcome of a case. The purpose of any adjustment is solely to remove barriers to accessing our service and to ensure that all consumers are able to participate effectively in the ADR process.

Continuous review. The Motor Ombudsman regularly reviews its processes, forms, communications and accessibility arrangements to ensure consumers can access the service fairly and that appropriate consideration is given to vulnerable consumers and those requiring reasonable adjustments.

Contact details

Postal address: The Motor Ombudsman, 71 Great Peter Street, London, SW1P 2BN, United Kingdom

Telephone: 0345 241 3008, option 1 for consumer cases; normal phone line opening hours are 9.00am to 4.30pm, Monday to Friday, excluding bank holidays

Online dispute submission form: [Dispute Submission - The Motor Ombudsman](#)

Consumer contact page: [Contact us \(Consumers\) - The Motor Ombudsman](#)

Business and media contact page: [Contact us - The Motor Ombudsman](#)

Consumers with an existing case should normally reply to the latest email received from The Motor Ombudsman. Evidence can be submitted online or by post, but consumers should not send original documents by post.

General information

- The Motor Ombudsman provides its official documents, correspondence, procedural guidance and forms in English, and the ADR procedure is conducted in English. The Motor Ombudsman can work with a translator where required and should be told about language or accessibility needs as early as possible.

- Most of the ADR procedure is conducted in writing, primarily through email. The Motor Ombudsman may provide parts of the service by telephone call or online meeting (Mediation) and will always provide the outcome in writing.
- When resolving complaints, The Motor Ombudsman takes account of the relevant Codes of Practice, relevant consumer law and legal principles, including the Consumer Rights Act 2015 where applicable, as well as what is fair and reasonable in the circumstances.
- The consumer can withdraw their complaint from the ADR procedure at any time by notifying The Motor Ombudsman, preferably in writing.
- An adjudication outcome is not binding and can be appealed by either party. An ombudsman final decision is binding on the accredited business if it is accepted by the consumer. If the consumer rejects the final decision, they retain the right to pursue other routes, such as court action.
- Both parties may be represented or assisted by another person. The service is designed to be used without legal representation, and any representative acts at the relevant party's own cost.
- The average length of the ADR process for a decision is usually around 90 days from receipt of all necessary documentation from both parties, known as the complete case file. More complex disputes may take longer, and The Motor Ombudsman will keep parties informed of undue delay or timescale extensions.
- The ADR service is free to consumers. Parties generally bear their own costs, including the cost of any representative. Technical or independent reports are not mandatory, but they may assist in complex cases; where a report substantiates the complaint and materially affects the outcome, The Motor Ombudsman may take it into account when considering any final award.

Referring a complaint to The Motor Ombudsman

- Before referring a complaint to The Motor Ombudsman, the consumer must usually have contacted the accredited business directly and explained why they are dissatisfied. Accredited businesses should tell customers that they have access to the free ADR service through The Motor Ombudsman when the business has reached the end of its internal complaints process or issued a final response. A consumer may also refer their complaint to The Motor Ombudsman where eight weeks have passed since the complaint was raised with the business, or where mutual deadlock has been reached.
- Consumers should submit the dispute within 12 months of either complaining to the accredited business or receiving the business's final response. The Motor Ombudsman may also be unable to consider a dispute where the event complained about took place more than six years ago.
- The dispute must be about an accredited business and must fall within one or more of The Motor Ombudsman Codes of Practice.
- Complaints can be submitted through the online case creation form or by using the contact details above. A valid email address or postal address is required for correspondence.
- The consumer should provide details of the dispute and any supporting evidence available at submission stage. The Motor Ombudsman may ask either party for further information during the ADR process.

Grounds for refusal

The Motor Ombudsman may refuse to handle a complaint, or may be unable to continue with a complaint, where one or more of the following applies:

- the consumer has not first attempted to resolve the matter directly with the trader;
- the dispute is frivolous or vexatious;
- the dispute is being considered, or has previously been considered, by another ADR entity, another ombudsman or a court;
- a legally binding judgment has already been made;
- the value of any award would exceed GBP10,000 and/or, where appropriate, the value of the vehicle;
- the dispute was not submitted within the relevant time limits, including the 12-month referral period or the six-year event period;
- the accredited business has not yet exhausted its complaints process or been allowed up to eight weeks to issue a final response, unless a final response or mutual deadlock has already been issued;
- the complaint does not fall within the remit of one or more of The Motor Ombudsman Codes of Practice;
- the business is not an accredited business of The Motor Ombudsman;
- the dispute concerns physical injury, illness, distress or nervous shock, criminal activity or claims of negligence;
- the consumer has already accepted an offer in full and final settlement of the dispute;
- there are no demonstrable financial losses and pursuing the dispute is not in the interests of justice;
- the vehicle was bought by, is registered in the name of, or is primarily used by a business;
- the dispute would seriously impair the effective operation of The Motor Ombudsman, such as where the service is being used as a test case for group litigation or collective proceedings claims; or
- the matter is more appropriately signposted to another organisation or another ADR body.

ADR Procedure

1. Initial review. Once The Motor Ombudsman receives a complaint, it reviews the information provided to decide whether the complaint is within remit and whether the business is covered by one of the Codes of Practice. If The Motor Ombudsman cannot handle the complaint, it will tell the consumer as soon as possible and, where possible, signpost them to another organisation that may be able to help.

2. Acknowledgement and case set-up. If the complaint can be handled, The Motor Ombudsman will acknowledge this to both parties and provide information about the ADR procedure and expected timeframes.

3. Conflict check. If a conflict of interest is identified or alleged, The Motor Ombudsman will apply its conflicts of interest policy, set out below, before the case proceeds.

4. Evidence gathering and administration. The Motor Ombudsman will collate relevant information from both parties. Each party will have a reasonable opportunity to express their position and provide evidence. The Motor Ombudsman may request additional information that is relevant to the dispute.

Information may be submitted online, by phone or by post and may include, but is not limited to:

- basic details of the dispute and the resolution being sought;
- proof of purchase, invoices, receipts and contracts;
- evidence that the consumer raised the complaint with the accredited business, including emails, letters and the business final response;
- repair records, service history, warranty documents and diagnostic records;
- photographs, videos or other images relevant to the dispute;
- technical reports or independent vehicle reports where available;
- details of any costs, losses or remedy sought; and
- any further evidence requested by The Motor Ombudsman.
- Any evidence or information submitted to The Motor Ombudsman may be shared with relevant parties in the ADR process in the interests of transparency and fairness, subject to necessary confidentiality, commercial sensitivity and data protection limits.
- Once all required information is received from the consumer, this will be provided to the business for comment. The business will have **10 working days** to respond, unless The Motor Ombudsman specifies another reasonable deadline.
- When The Motor Ombudsman has all the required information for the ADR process to begin, this will be considered the complete case file. Both parties will be notified in writing when the complete case file has been reached.
- Once The Motor Ombudsman is in receipt of the complete case file, the outcome will usually be notified to both parties in writing within 90 days. If the dispute is complex or there is an undue delay, The Motor Ombudsman will tell both parties and provide updates.
- The Motor Ombudsman will keep parties informed about the conduct and progress of ADR by written correspondence, usually email, and by telephone, online meeting (Mediation) or post where appropriate or where a reasonable adjustment has been agreed.
- The consumer can withdraw their complaint from this ADR procedure at any time by notifying The Motor Ombudsman, preferably in writing.
- Once the ADR procedure has concluded and a decision has been reached, both parties will be provided with the outcome in writing. The written outcome will explain how the decision has been reached and the evidence and reasoning relied on.

4A. Mediation. During the administration and evidence-gathering stage, The Motor Ombudsman may offer mediation where it appears that a complaint may be capable of resolution without a formal adjudication outcome.

- Where mediation is suitable, The Motor Ombudsman may invite both parties to take part in a mediation discussion before the complaint proceeds to adjudication.
- Mediation is a voluntary process intended to help the consumer and accredited business explore whether the complaint can be resolved by agreement.

- The mediation may take place by telephone or video conferencing.
- The Motor Ombudsman will act impartially and will not impose an outcome on either party during mediation.
- If an agreement is reached, the complaint will be considered resolved by agreement between the parties by way of full and final settlement, and the ADR process will conclude. The agreement will be confirmed in writing by The Motor Ombudsman.
- Where an agreement is not reached, or mediation is not suitable, the complaint will continue through the normal ADR process and may proceed to adjudication and, where applicable, an ombudsman final decision.
- The fact that mediation was attempted, or that agreement was not reached, will not prejudice either party's case and will not be taken into account if the complaint is considered at the next stage.
- Mediation provides an opportunity for both parties to discuss the dispute and consider whether a mutually acceptable outcome can be reached without the need for a formal determination.

4B. Early Resolution. During the administration and evidence-gathering stage, an accredited business may make an offer to resolve the complaint before a formal adjudication outcome is issued. This is referred to as an Early Resolution.

- Where an Early Resolution offer is received, The Motor Ombudsman will provide the details of the proposed resolution to the consumer.
- The consumer will usually be given **10 working days** to consider and respond to the offer. This period may be adjusted where appropriate, depending on the circumstances and any needs notified to The Motor Ombudsman. Where an adjustment is considered or applied, both parties will be notified.
- If the consumer accepts the offer, the complaint will be considered resolved by agreement between the parties and the ADR process will conclude.
- Any agreement reached through Early Resolution will be in full and final settlement of the complaint and confirmed in writing by The Motor Ombudsman.
- Where an Early Resolution agreement has been accepted by both parties, the complaint will not proceed to adjudication or an ombudsman final decision.
- If the consumer does not accept the offer, or no agreement can be reached, the complaint will continue through the normal ADR process and may proceed to adjudication and, where applicable, an ombudsman final decision.
- Early Resolution provides an opportunity for disputes to be resolved more quickly where both parties are able to reach a mutually acceptable outcome without the need for a formal determination.

5. Adjudication outcome. Once the complete case file has been reviewed, an adjudicator will issue a written adjudication outcome to both parties. The adjudication outcome will explain the evidence considered, the reasoning applied and the proposed resolution.

- An adjudication outcome is not binding on either party.
- Either party may accept the adjudication outcome or, where the case is eligible, appeal the decision and ask for the matter to proceed to the ombudsman final decision stage.
- Each party will usually be given **10 working days** to respond to the adjudication outcome. This period may be adjusted where appropriate, depending on the circumstances and any

needs notified to The Motor Ombudsman. Where an adjustment is considered or applied, both parties will be notified.

- The proposed resolution may be different from an outcome that a court could reach when applying strict legal rules.
- Participation in the ADR procedure does not prevent the consumer from seeking redress through court proceedings where the consumer has not accepted an ombudsman final decision.

6. Ombudsman final decision. If the adjudication outcome is not accepted, or if the case otherwise needs to proceed to a final decision, an ombudsman will complete a further review of the case. The ombudsman will consider the case from start to finish, including the evidence provided by both parties, the relevant Code of Practice, applicable legal principles and what is fair and reasonable in the circumstances.

The ombudsman may ask either party for further information where this is needed to reach a fair outcome. The ombudsman final decision represents The Motor Ombudsman's final position on the dispute.

- Each party will usually be given **10 working days** to respond to the ombudsman final decision. This period may be adjusted where appropriate, depending on the circumstances and any needs notified to The Motor Ombudsman. Where an adjustment is considered or applied, both parties will be notified.
- Only the consumer can accept or reject the ombudsman final decision.
- If the consumer accepts the ombudsman final decision, it becomes binding on the accredited business.
- If the consumer rejects the ombudsman final decision, or does not accept it by the deadline given, the consumer retains the right to pursue other options, including legal action.
- If an adjudication outcome or ombudsman final decision includes a remedy, the business is expected to comply with the applicable Code of Practice and the terms of its accreditation.

Conflicts of interest

- The Motor Ombudsman is committed to acting impartially and not favouring one party over another. Outcomes are based on the evidence provided by the parties, the relevant Codes of Practice, applicable legal principles, and what is fair and reasonable in the circumstances.
- ADR officials are appointed through a selection process that includes competency-based interviews, practical assessments and vetting. They receive training in automotive disputes and in The Motor Ombudsman Codes of Practice. The case resolution team includes customer service agents, case administrators, adjudicators and ombudsmen.
- ADR officials are not remunerated based on the outcome of cases, or the financial value of awards made.
- The Motor Ombudsman maintains organisational oversight to support impartiality, including Board monitoring, Independent Compliance Assessment Panel (ICAP) review of selected cases, Ombudsman Association membership standards, published case studies, and annual audit by CTSI as ADR competent authority.
- Any person involved in handling a dispute must declare any actual, potential or perceived conflict of interest as soon as they become aware of it. A party may also raise a concern about impartiality or a possible conflict of interest.
- Where a conflict or perceived conflict is identified, The Motor Ombudsman will take proportionate steps to protect the integrity of the ADR process. This may include reallocating

the case to an unaffected ADR official, arranging senior review, restricting access to the case file, or taking any other step necessary to maintain impartiality.

- If a case cannot fairly proceed because of a conflict of interest that cannot be managed, The Motor Ombudsman will notify the parties and, where possible, signpost them to another organisation that may be able to assist.

Complaints about our service

The Motor Ombudsman is committed to delivering its services in accordance with its values of being Positive, Respectful, Impartial, Dynamic and Empowered. We aim to provide a professional, fair and efficient service to consumers and accredited businesses at all times.

If a consumer or business is dissatisfied with the quality of service provided by The Motor Ombudsman, they may raise a service complaint. A service complaint concerns how a case has been handled and is separate from the outcome reached in a dispute. Examples may include concerns about delays, communication, professionalism, responsiveness, or the level of service received.

A service complaint is not an appeals process and will not result in a review, reconsideration or change to an adjudication outcome or ombudsman final decision. Consumers wishing to challenge a case outcome should use the appropriate appeal process available within the ADR procedure.

Service complaints should normally be submitted using The Motor Ombudsman's online service complaint form, available on our website. Assistance can be provided for consumers who require additional support or reasonable adjustments when submitting a complaint.

Upon receipt of a service complaint:

- A team leader or appropriate manager will review the complaint.
- A response will normally be issued within **15 working days**.
- Where appropriate, steps may be taken to address identified service issues and improve future service delivery.
- If the complainant remains dissatisfied, the complaint may be escalated for further review by a senior manager.
- A further response will normally be provided within **15 working days** of escalation.

The Motor Ombudsman welcomes feedback from consumers and accredited businesses. Feedback and service complaints help identify opportunities to improve our processes, communications and overall service standards.

Details of The Motor Ombudsman's service complaints process can be found at:

Service Complaints:

<https://www.themotorombudsman.org/service-complaints/>