

Schedule 6: The Motor Ombudsman

Reporting period - 1 October 2019 to 1 October 2021

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:

Across the Reporting Period, TMO has handled:

- 181,690 contacts through its online form, email, post and telephone;
- 81,171 unique contacts from the above;
- 33,469 new cases created.

The table below defines:

- enquiries received as new cases received;
- the number of disputes received and marked as being a potential dispute we could consider;
- the number of disputes accepted by our service and either going through or having gone through early resolution, adjudication or final decision.

It is worth noting that 2021 has been a significant period of change and improvement for TMO. As such, our reporting capabilities have been considerably enhanced – however, this does mean we are recording some data differently, and therefore it is not always directly comparable to previous years.

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)
33469	30	11691	0	7673	0

Types of disputes:

TMO operates four Codes of Practice:

- the Code of Practice for New Cars, covering manufacturers' warranties;
- the Code of Practice for Vehicle Warranty Products, covering extended warranties and other types of protection policies;
- the Code of Practice for Service and Repair, covering issues ranging from workmanship to the booking process;
- the Code of Practice for Vehicle Sales, covering everything from the sales process to the quality of the vehicle, be it new or used.

The below shows how many unique enquiries and disputes were logged for each Code:

Code	No. of domestic enquiries	No. of cross-border enquiries	No. of domestic disputes	No. of cross-border disputes
New Car Code	5400	4	1625	0
Vehicle Warranty Products Code	1081	0	474	0
Service and Repair Code	14250	12	1935	0
Sales Code	16726	12	3801	0

(b) the percentage share of alternative dispute resolution procedures which were discontinued before an outcome was reached:

Reason	No. disputes discontinued	Percentage discontinued
Rejected for operational reasons	0	0%
a) the consumer has not attempted to contact the trader first	470	7%
b) the dispute was frivolous or vexatious	4	0.06%
c) the dispute had been previously considered by another ADR body or the court	114	1.8%
d) the value fell below the monetary value (NB: we do not have a minimum claims limit so this records cases that exceeded it)	8	0.1%
e) the consumer did not submit the disputes within the time period specified	7	0.1%
f) dealing with the dispute would have impaired the operation of the ADR body	0	0%
Case withdrawn by consumer	630	10%
Case withdrawn by trader	0	0%
Solution reached without ADR	410	6%
The trader was not a member of the ADR scheme (if this is a requirement)	4828	75%

(c) the average time taken to resolve the disputes which the ADR entity has received:

	Domestic	Cross-border
Average time taken to resolve disputes (from receipt of complaint)*	334 days	N/A
Average time taken to resolve disputes (from 'complete complaint file')	92 days	N/A

Total average time taken to resolve disputes	334 days
--	----------

*Please note that we updated our system to monitor this statistic in 2020 and whilst we backfilled much of 2019's information, this may not be a complete picture.

(d) the rate of compliance, if known, with the outcomes of its alternative dispute resolution procedures:

Within this Reporting Period, the rate of compliance is 99%. We had 5 instances of non-compliance with an award, which resulted in the businesses' expulsion from The Motor Ombudsman.

(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:

As explained previously, it is our view that any systematic or significant problems can be avoided or resolved by ensuring that all consumers have access to a free-of-charge ADR provider, particularly where that provider is an ombudsman. This is because not only can an ombudsman resolve the individual complaint, but they can use the data gathered to identify trends and systemic problems – and engage with businesses to prevent problems happening in the first place, rather than simply focussing on closing off the issue at hand.

Additionally, there can be more of a focus on business education – not just from engaging with ADR providers, but in the wider consumer protection landscape. Many businesses wish to comply but simply are unaware of or do not understand their legal obligations: they may also not know where to turn for advice in remaining compliant and, especially for SMEs, may not have access to expert information and guidance. More encouragement to engage with ADR, more resources and toolkits for businesses and access to tailored advice could significantly improve the consumer experience.

(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:

- Legal and Consumer Rights Act 2015 training (external)
- Welcome to the Ombudsman training (internal)
- Vehicle Sales Code training (internal)
- New Car Code training (internal)
- Vehicle Warranty Products Code training (internal)
- Service and Repair Code training (internal)
- Vulnerability and accessibility training (internal)
- Mechanical basics training (internal)
- Diversity, equality and inclusion training (external)
- Mental health and wellbeing training (external)
- Mental health and wellbeing for management (external)
- Management, leadership and coaching training (external)
- Introduction to Alternative Dispute Resolution training (internal)
- Call training (internal)
- CTSI call handling training (external)
- Complexity rating training (internal)
- Ad hoc training around new processes and developments (internal)
- Case management and telephony systems training (internal)
- Distance selling training (internal)
- The law and vehicle sales training (internal)
- Core Mediation Skills certificate (external)

(h) an assessment of the effectiveness of an alternative dispute resolution procedure offered by the ADR entity and of possible ways of improving its performance:

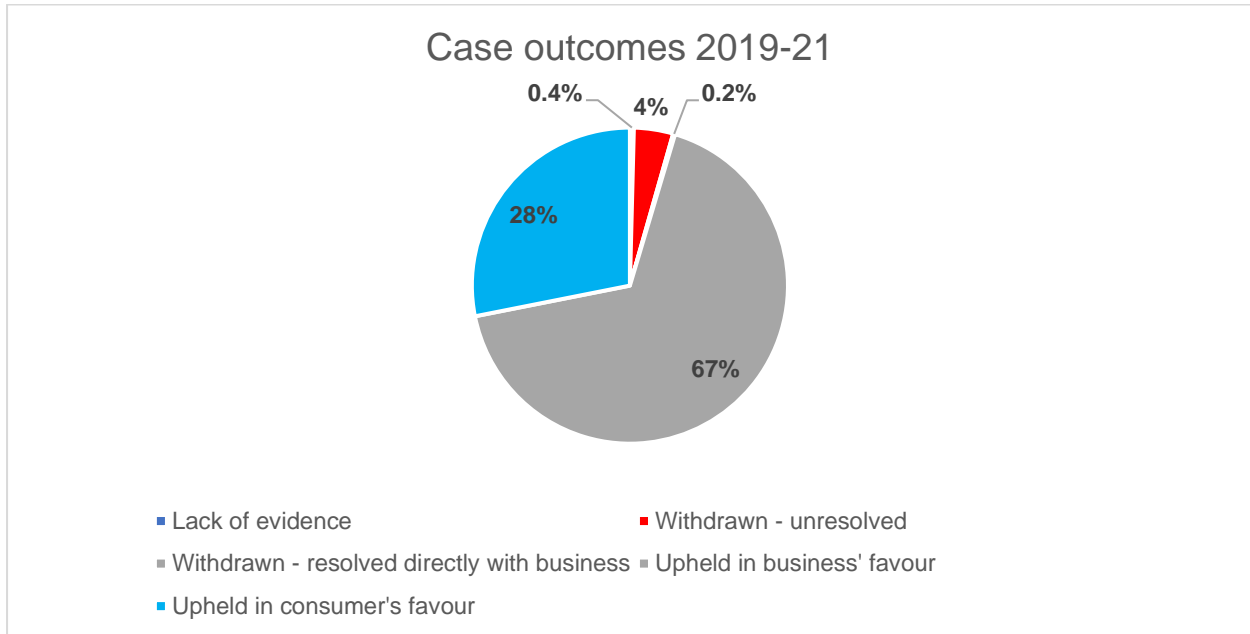
Over this Reporting Period, The Motor Ombudsman has worked extremely hard to increase its effectiveness and quality. This has included:

- Recruiting and retaining more staff, allowing us to handle higher volumes of enquiries and disputes, and considerably improve our service levels;
- Refreshing its quality control processes, ensuring they are rigorous and in line with the standards expected of us both as an Ombudsman and an ADR provider;
- Enhancing its technological capabilities, such as the creation and launch of a new online complaint form to make TMO more accessible and streamline the evidence collection process, and investing in new tools to support caseworkers;
- Introducing mediation as a new way of resolving disputes in a quicker and more amicable way, allowing both consumers and businesses to explore not just the facts of the dispute, but also the emotional impact;
- Reforming our service complaints procedure, alongside giving consumers more mechanisms to provide feedback;
- Increasing visibility and oversight with better management information, performance management and data collection – alongside increasing coaching and support for caseworkers;
- Significantly improving our service levels to ensure consumers and businesses have their issues resolved swiftly, whilst also ensuring our investigations are robust, impartial and thorough.

We are proud of the progress we have made over the course of 2021 but we understand there is more we can do. For example, many of our strategic projects are still in progress, and we believe that once they are completed and implemented, the effectiveness of our caseworkers will be further improved. We also want to build upon the success of mediation and continue to grow early resolution as a way of resolving complaints without the need of a decision, as we have found this to be a highly satisfactory resolution technique for both parties. Finally, we will continue to push for mandating ADR in the motor industry, to ensure that consumers – regardless of which business they use – have the ability to access free, fair and effective ADR.

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

For this Reporting Period, the outcomes reached by The Motor Ombudsman at both its adjudication and final decision stages were:



Across the Reporting Period, we published a variety of reports on different subjects, providing a wealth of interesting information, data and insight.

- For our 2019 and 2020 press releases, please click [here](#).
- For our 2019 ICAP report, please click [here](#).
- For our 2020 ICAP report, please click [here](#).
- For our 2019 Annual Report, please click [here](#).
- 2020 Annual Report, please click [here](#).