



TrustMark Annual ADR Report

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Reporting period

April 1st 2016 to November 30th 2016.

Overview

The TrustMark Scheme is a registered not for profit social enterprise business. It was formed in 2005, in conjunction with Government, industry and consumer protection bodies.

TrustMark is the only Government Endorsed standards scheme for repair, maintenance and installation trades in and around the home. We award firms with registration after they have completed a thorough vetting and on-site inspection process completed by the TrustMark Scheme Operator to ensure the firm is raising industry standards.

TrustMark operates within a Master Licence Agreement issued by the Government's Department for Business, Energy and Industrial Strategy. As the only government licensed scheme, we work closely with Government to continually look for ways in which to improve consumer protection.

TrustMark covers most trades in an around the home only and doesn't deal with commercial works, ADR is only offered to TrustMark members and only covers licensed trades.

Our goal is to achieve a position where consumers can engage firms with choice and confidence to undertake work that is of high quality, protected and at the agreed costs.

Becoming an Alternative Dispute Resolution provider had been a strategic decision to ensure that Scheme Operators and the Registered Firms had easy access to the ADR process without incremental costs being placed upon them as a burden.

We looked at this service as an ideal opportunity to support fast and effective resolutions and prevent customers and tradespeople ending up in forms or litigation or going to court to resolve their challenges.

Ongoing Review

As part of the strategy for the TrustMark quality scheme, we did not expect a sudden increase in complaints coming to us when we received our ADR Provider approval, as Scheme Operators have the technical expertise and can usually deal with the complaints at

source, hence the reporting started in April when we started receiving disputes and recorded them on our systems.

It was a case of educating both customers and the contractors and raising awareness that alternative options to Court are available to them.

Our objective has always been to deliver first class services without the need of financial burden to either the consumer or the contractor. TrustMark has always aimed to resolve cases early through conciliation and not see them progress to mediation or arbitration.

This has proven to be successful and the level of cases going to further actions has been very small. Early intervention and effective delivery by our team has reduced both resource time, effort and costs in early settlement of the challenges.

Our team undertook further dispute resolution training which was provided by professional services.

Disputes overview

We are clear in our remit and provide ADR for the RMI, 'in and around the home' sector via our Scheme Operators and Registered Firms.

Our scope will allow disputes to be logged for many areas of home improvements and services, these in most scenarios will be non-technical as the Scheme Operators deliver technical resolutions at source.

Our scope of work could include external areas of work such as landscaping, driveways, external buildings or internally areas such as plumbing, gas work, painting and decorating, electrical work, handymen etc.

The following is an example of the disputes managed:

- Installation of new central heating system including a new boiler and radiators - radiator not working due to an issue with the system pipes
- Contract cancellation dispute with a glazing company, company demanded the full amount
- Company have carried out several minor home improvement works - poor workmanship
- Tradesman was to replace the felt on a leaking roof but used wrong materials.

Headline statistics

- We took over 2300 dispute and advice calls since April 2016 (none prior to that)

- 5% of those were signposted to other bodies, e.g. Trading Standards if dispute was against a non-TrustMark Firm
- We also received in excess of 1000 emails.

Through various channels we have raised awareness of our ADR process to Registered Firms and Consumers. By doing this, the risk has been mitigated, resulting in fewer disputes forwarded for mediation, in most cases these were through conciliation or improved communication on both sides.

Promotional activities

Alongside the launch of our new website in September, we have made amendments to the ADR section <https://trustmark.org.uk/consumers/if-things-go-wrong>. We have split the information from the old website over two pages, to distinguish between those that can achieve a 'quick fix' with some simple guidance, and those who definitely want to proceed with the ADR route. Both of these pages have been promoted through TrustMark's Twitter and Facebook channels on a regular basis. Our ADR mediator is also drafting a blog which will be posted on the TrustMark website in December.

Service Feedback

Our team send a feedback request when a dispute is resolved to both the customer and the Registered Firm. We receive mainly positive reactions from them based upon the value for providing such a useful and beneficial service.

We strongly believe in supporting a drive to change consumers' behaviours and spend time with the customers providing good quality advice. The more educated they are on their rights and maintain good communication, the less problems they will have with tradespeople in the future.

Continual Improvement

TrustMark is continually looking for ways in which to promote and support consumer protection. Working with our Scheme Operators and Trading Standards enables us to offer a bespoke consumer and contractor advice centre. We recognise that the nature of consumer and contractor relationships are changing and that with that comes a higher expectation of services provided and also greater protection.