

Information for customers

For Applications made on or after 1st September 2009

Introduction

CISAS is an Ofcom-approved scheme that individuals and small businesses (one with 10 or fewer employees) can use to settle their disputes with companies that are members of the scheme ('member companies'). It is run by us, IDRS Ltd. You do not pay any costs for using CISAS. The only costs you might have to pay are photocopying or postage costs associated with filling in the forms and providing documents. You are not responsible for any of the company's costs.

For a full list of companies that are members of the scheme, or to apply to use CISAS, please visit our website at www.cisas.org.uk.

Some questions and answers

I have a complaint about a company registered with CISAS - what should I do?

You must give the company a chance to settle your complaint before you apply to use CISAS. You can do this by contacting the company's complaints department. You can apply to use CISAS if you have not been able to settle your complaint within eight weeks of first complaining to the company, or if the company has referred you to the scheme. You must **send your application within nine months of first complaining to the company**.

What can you make the company do?

If we agree with your complaint, we can tell the company to do any or all of the following.

- Give you an apology or explanation.
- Give you a product or service, or take some practical action that will be to your benefit.
- Pay you up to £5000 (including VAT) for any loss you can prove you have suffered. (If you do not claim any money on your application form, none can be paid.)

I have a complaint with a member of CISAS, but they have told me I cannot use CISAS. Why?

It may be because your complaint is about one of the following matters, which CISAS cannot deal with.

- Faulty phones or other equipment.
- TV services.
- Cables and wiring.
- Products and services bought or rented from a company that is not a member of CISAS.
- Matters already being dealt with by the courts or under any other complaints procedure.
- The content of internet sites, phone calls, e-mails, text messages or any other type of message.
- Employment and staff issues in companies that are members of the scheme.
- Complaints that we feel have no real substance or that are made only to create trouble for a company.
- Business decisions a company has made on whether or not to provide a product or service, and the terms under which they will provide a product or service.

What if the company and I decide to settle my complaint?

You and the company can settle the matter between yourselves at any time before the adjudicator makes a decision. If you decide to do this, you and the company deal with each other directly, not through the

scheme. If you do settle the matter, we need the company to let us know in writing, and we will call you to make sure that the complaint has been settled.

If you tell us that you have settled your complaint with the company, we will close the case. If the company does not keep to any agreement you have made with them you can ask us to re-open the case.

What if the company gives me everything I asked for?

The company must tell us that they have done this and if you tell us that they have done this then we will close the case.

Do I need a solicitor?

You do not need a solicitor but you can have one if you want. However, you cannot claim any expenses for a solicitor's services.

Who makes the decision on my complaint and what do they do?

The decision will be made by an adjudicator who has received training in dealing with the types of complaint CISAS covers, as well as legal training (particularly relating to consumer contracts). Detailed information on each adjudicator is given on the CISAS website. The adjudicator will make a decision on your complaint based on the evidence you and the company give them. Adjudicators can ask you for more information that will help them to make the correct decision.

The adjudicator will always consider your arguments and evidence (as well as those of the company), and will provide a fair and reasonable decision.

What happens when I receive the decision?

Once you have received the decision, you will have six weeks to let us know whether or not you accept it. If you do not tell us within six weeks, the decision will not be binding on the company but you can still take the matter to court.

If I agree with the decision within six weeks, when will the company take the necessary action?

The company must take the necessary action within four weeks of the date you told us you accepted it.

What happens if the company does not take the necessary action?

When the company became a member of CISAS they agreed to accept and keep to the adjudicator's decision. If you tell us that the action is not taken we will remind the company of their obligation to take the action. If they still do not take the necessary action we can end their membership of CISAS. If we do this, we will tell Ofcom we have done this.

What is the procedure?

The procedure has been designed to be as quick and easy as possible.

The following pages explain how you should apply to use CISAS, and what type of evidence you will need to give us.

The Procedure

Stage 1

You should fill in the application form and send it to us. If you prefer, you can fill in the form online. If you need more information or help to fill in the form, phone us on 020 7520 3814.

It is important that you fill in the application form as carefully as possible and provide documents to support your case. In order to make a decision, the adjudicator will read and rely on the information you and the company provide.

Stage 2

When we receive your form and documents to support your complaint we will send a copy to the company.

The company will then have 14 days to reply. They will need to consider all of the points you have made, and give their response.

Stage 3

When we receive the company's response, we will send you a copy. If you want to comment on that response you must send us your comments within seven days.

If you do provide comments, they must concentrate on any points the company made. You cannot add new information that you forgot to mention earlier.

We will send a copy of your comments to the company.

Stage 4

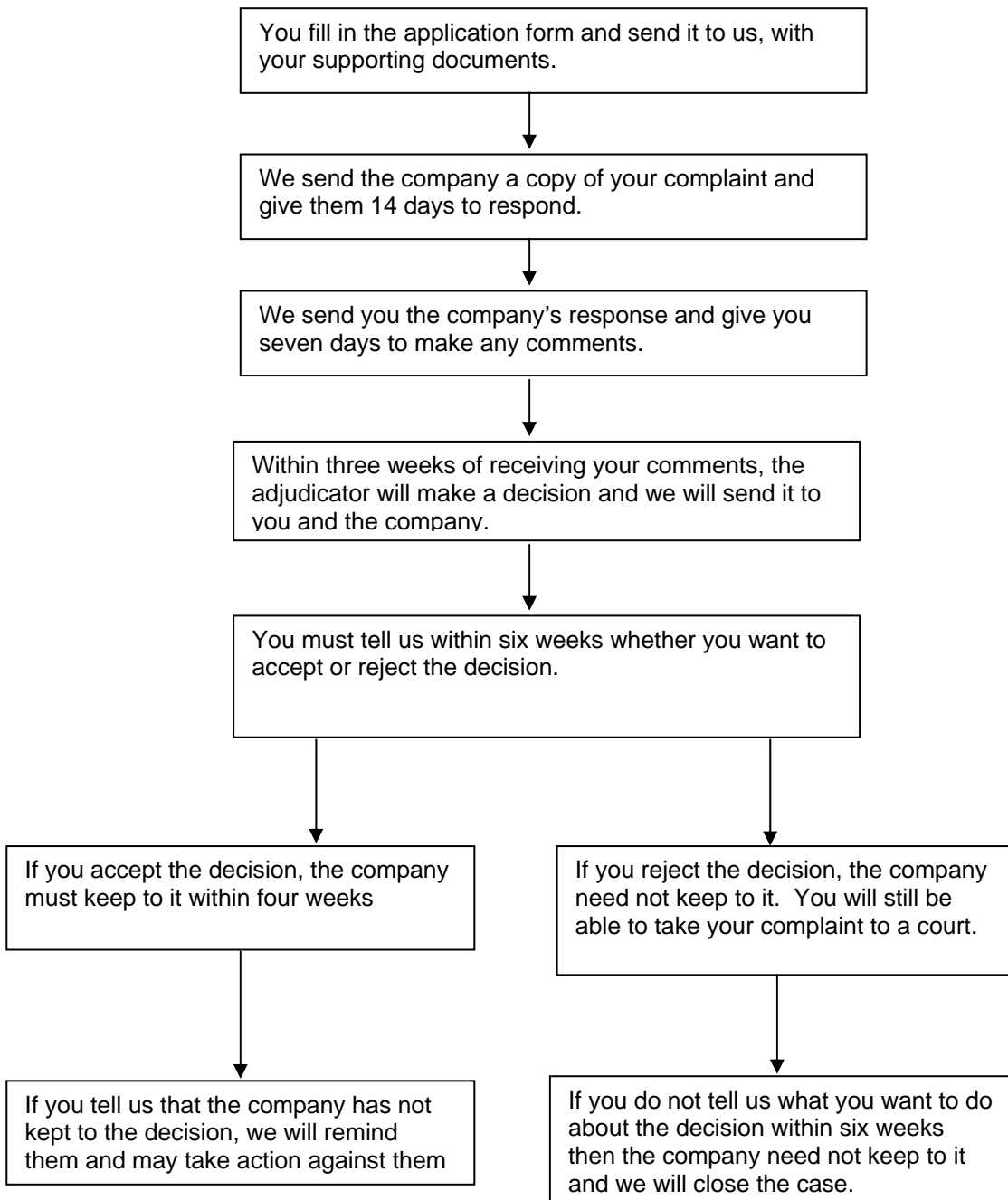
Either when we receive your comments or at the end of the seven-day period, we will appoint an adjudicator and tell you and the company the adjudicator's name.

We will send you and the company a copy of the decision the adjudicator makes.

Stage 5

After receiving the decision, you must tell us within six weeks whether or not you want to accept the decision.

Flow chart of a typical case



If you want more information, visit the 'Frequently Asked Questions' section on our website or call us on 020 7520 3814.