

EHU Processes for suppliers

Disputed complaint process

April 2023

This document explains the role of the disputed complaint process and how it should be used by energy suppliers.

The Citizens Advice Extra Help Unit is strongly committed to working with industry to ensure consumers receive the highest standards of service and to reduce the overall number of consumer complaints we receive. The complaint data that we produce is an important measure of the performance of companies. The primary objective of the disputed complaint process is to ensure this data is as robust, accurate and reliable as possible.

The process enables suppliers to question where appropriate whether mistakes have been made in the way a complaint was logged. This includes whether the appropriate category code has been chosen, or if the case should be recorded as a complaint or enquiry.

Priority cases can only be disputed if the case falls under the Special Circumstances reason.

Principles

There are three important principles upon which the disputed complaint process has been built.

➤ **The process must be invisible to consumers**

This process must not detrimentally affect how a consumer's complaint is handled. When a complaint is disputed, the case must continue to be investigated in a thorough and effective manner. Even if another company needs to take action to resolve a situation, we expect the supplier contacted to address any points that are relevant to them.

Companies must never involve the consumer in the process of gathering evidence for a dispute.

➤ **Industry must ensure there is no abuse of the process**

In the interests of all parties, frivolous or unfounded challenges to consumer complaints will not be accepted. Any dispute arising over a complaint which lacks clear supporting evidence will not be considered by the Extra Help Unit.

We will closely monitor company use of this process and will not hesitate to deal with any abuses of the system.

- **Priorities can only be disputed if the case falls under the Special Circumstances reason**

REASONS FOR DISPUTING A COMPLAINT

A supplier may dispute how a complaint has been logged by the Extra Help Unit for the following reasons:

1. Customer contact

Citizens Advice aims to develop confident and assertive consumers who know their rights and feel able to demand the services they expect from their energy companies. If a consumer has not contacted their supplier or given the company a reasonable opportunity to respond to the concerns they have raised, then the Extra Help Unit would log the case as an enquiry, rather than a complaint.

Should an energy company wish to dispute a complaint on this basis then clear evidence must be provided. Any evidence a company produces will need to remove any reasonable doubt that no prior contact has taken place, or how much time the company has had to deal with a situation. The Extra Help Unit will also take into account any information already provided by the consumer when making a decision.

The final decision in all cases will rest with the Extra Help Unit.

2. Categorisation

The Extra Help Unit categorises its complaints based on the consumer's information and the Caseworker's view of the matter.

As a consumer organisation, it is vital that our complaint data reflects as closely as possible the consumer experience. Complaints are categorised at the initial point of contact with the consumer and our Caseworkers use their knowledge and experience to determine how this information can be accurately categorised.

To categorise information in any other way would be to distort the consumer experience. The Disputed Complaint Process allows companies to provide evidence that a case has been incorrectly categorised, so there is an opportunity for these to be corrected.

If an agreement is made to change the category this does not mean the complaint will be downgraded only that the category will be changed.

3. Incorrectly assigned complaint

If a company receives a case which has been incorrectly assigned to them, and should be assigned to another company, they should provide evidence to support this.

It is not enough for a company to say that they are no longer the supplier, if the complaint relates to a period when they did supply. However, the Extra Help Unit will accept challenges where there is clear evidence provided by the supplier that they could not have assisted the consumer in any way with the complaint raised, or addressed the reasons for the complaint.

4. Special circumstances – repeat revenue protection / theft cases

While Priority cases are not part of the Disputed Complaint Process, special consideration will be given to downgrading a Priority case which relates to the theft of electricity and/or gas. This is because there are circumstances when it would be unreasonable to penalise the energy company for the actions they have taken.

The Extra Help Unit recognises that tampering with a meter or other apparatus that supplies electricity/gas to a property is very dangerous. We also recognise that it may be as a result of a consumer's circumstances, that they have felt the need to tamper with the supply to their property.

The Extra Help Unit is willing to downgrade a case relating to the theft of electricity or gas, if the following two criteria are met:

- The case is a repeat revenue protection issue, involving the same account holder/occupier at that property. First offences cannot be disputed.
- The energy company can provide sufficient evidence that the first and second tampers were the result of a deliberate act, and that the account holder/occupier was either responsible or aware of this.

Disputing a case of this type must not impact on how the case is handled, and we still expect the energy company involved to take all reasonable actions to reach the best outcome possible for the consumer.

DISPUTED COMPLAINT PROCESS - OPERATING GUIDANCE

The following information dictates how the Disputed Complaint Process works in practice. Please be aware of the following key points:

- The Disputed Complaint Process proforma (below) must be used in all instances and sent electronically to the Extra Help Unit using the following e-mail address: complaints@ehu.org.uk.
- The proforma must be received by the Extra Help Unit within five working days of the supplier receiving the complaint. Any disputes received outside this time scale will not be upheld under any circumstance. The disputes process is designed to ensure all energy companies are treated in a consistent manner, so no exceptions will be made.
- Priority complaints are excluded from the disputes process, due to the nature of these complaints. The only exception to this rule is outlined in the Special Circumstances reason.
- At no time should formal or informal contact be made with Caseworkers in order to change complaint details covered by the Disputed Complaint Process.
- A team manager will respond to any disputed complaints which have been received, to ensure that they are dealt with consistently and so any necessary feedback can be provided to the Caseworker who logged the case. This will happen within 5 working days.
- A team manager's decision should be considered as final. Cases should not be returned for a further review or discussion. Should there be a concern with how the Extra Help Unit has responded to a dispute, then this should only be raised by a senior complaints manager at the supplier, to the EHU Performance & Insights Manager or Head of the Operational Support who will review the case. This situation must only occur when a full review has been carried out within the company, and only in very rare circumstances.

DISPUTED COMPLAINT PROCESS

Disputes will only be accepted on the following criteria:

- The complaint has been logged against the wrong company
- The company has not had a reasonable opportunity to resolve the matter
- The categorisation is incorrect
- Special Circumstances in relation to meter tampering

In view of supplier obligations under SLC 27A Self disconnection, it is no longer possible to dispute a case involving multiple requests for Additional Support Credit.

Timescales

DAYS 1 – 5

The Complaint is received by the energy company. If there is a concern with how the case has been logged by the EHU, then the supplier can review the complaint against the criteria set out in this document.

If it does meet the criteria outlined in this document, a dispute should be sent to the Extra Help Unit on the proforma provided, and must enclose any evidence that the dispute relies upon.

This should be sent to the Extra Help Unit as soon as possible. If a dispute is not received within 5 working days of the case being sent to the energy company it will not be upheld

DAYS 5 – 10

A Team Manager will check the evidence and respond to the company with a decision on either changing the complaint to an enquiry, or changing the category, within 5 days of receipt.

FORMS USED IN DISPUTED COMPLAINT PROCESS

The disputed complaint process forms are shown on the following pages:

Disputed Complaint Process Form

Customer Details	Company Contact Details
Customer Name:	Submitted by
Customer Address:	Company
Postcode:	Date
	Contact Tel Number

EHU complaint reference number:

Please indicate reason for disputing the complaint:

1. The categorisation is incorrect.
2. The company has not had a reasonable opportunity to resolve the matter.
3. The complaint has been logged against the wrong company.
4. The complaint involves a further incidence of meter interference.

Please fully explain reason you are disputing the complaint and ensure that you attach relevant documents supporting the dispute.

Extra Help Unit Response Form

FROM (Team Manager's Name)

TO (Name)

Response to your dispute, reasons and action taken:

Complaint stands/amended/withdrawn/assigned to another company

Date: