



Extra Help Unit Dispute Process

The Citizens Advice Extra Help Unit is strongly committed to working with industry so that 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 dispute process is to ensure that this data is as robust, accurate and reliable as possible.

The formal Complaint Dispute Process enables companies to question, in appropriate cases, whether mistakes may have been made in the way a complaint was logged or handled. This includes whether the appropriate category code has been chosen, or if the case should be recorded as a complaint or enquiry.

Priority cases cannot be disputed unless it is for the reasons outlined in the Principles section.

This document is designed to explain the role of the disputes process and how it should be used by energy companies.

Principles

There are three important principles upon which the Complaints Dispute Process has been built.

- **The dispute process must be completely invisible to consumers**

The dispute process must not detrimentally affect how a consumer's complaint is handled. When a complaint is disputed, the complaint itself must continue to be investigated in a thorough and effective manner. Even if another company needs to take action to resolve a situation, we would 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 that there is no abuse of the dispute process**

In the interests of all parties, frivolous or unfounded challenges to consumer complaints will not be permitted. 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 the dispute process and will not hesitate to deal with any abuses of the system.

- **PRIORITIES CANNOT BE DISPUTED UNLESS THEY FALL UNDER ONE OF THE AREAS IN THE PRINCIPLES SECTION BELOW**

Please see explanation below on what kind of cases can actually be disputed.

Why might it be appropriate to use the disputes process?

There are a number of reasons why it may be appropriate to dispute how a case has been logged by the Extra Help Unit.

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 provided by the consumer when making a decision.

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

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 disputes 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.

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 that another company was at fault.

Special Circumstances – repeat Revenue Protection/Theft cases

If a case is referred to the Extra Help Unit in relation to the theft of electricity and/or gas, 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 chosen 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.

The Dispute Process – Operating Guidance

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

- The disputes proforma should be used in all instances and sent electronically to the Extra Help Unit using the following e-mail address: complaints@ehu.org.uk
- The disputes 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 exceptions to this rule are outlined in the criteria above.
- At no time should formal or informal contact be made with Caseworkers in order to change complaint details covered by the disputes process.
- A team manager will respond to any disputes which have been received, this is to ensure that disputes are dealt with consistently and 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 disputed by the head of an energy company's customer service department, to the Head of the Extra Help Unit 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.

The Complaint Dispute 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 and discretionary credit as set out above.

Timescales

Complaint received by the Extra Help Unit, and complaint form sent to company.

Day 1 – 5

The Complaint is received by the energy company. Company checks complaint to ensure it doesn't meet the above criteria.

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.

Day 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.

Form used in disputes process

An example of the dispute form is shown on the following pages.

Complaint Dispute

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.
5. The complaint involves a third request for discretionary credit within a 12 month period

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

Extra Help Unit Response

FROM (Team Manager's Name)

TO (Name)

Response to your dispute, reasons and action taken:

Complaint stands/amended/withdrawn/assigned to another company

Date: