

ADR Provider Annual Report 2019-2020 Institute of Professional Willwriters

Schedule 5 of the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations.

Information to be included in an ADR entity's annual activity report

a) the number of domestic disputes and cross-border disputes the ADR entity has received;

Period covering this report: 16 March 2019– 15 March 2020

Number of domestic disputes received - 2

Number of cross border disputes received - 0

b) the types of complaints to which the domestic disputes and cross-border disputes relate;

Complaint 1 – A lasting power of attorney (LPA) drafted for client by firm had not been registered with the Office of the Public Guardian (OPG) to make it effective. It was difficult to establish whether the failure to register was due to issues at the OPG or issues at the firm. It was felt that the firm should have had procedures in place to monitor work submitted to the OPG, as they (the OPG) have a reputation for making mistakes. ADR found in favour of the complainant and a new LPA was prepared by the firm at no cost to the complainant and the firm funded the new registration fee required by the OPG to register the new LPA.

Complaint 2 – Wills instructed by clients had not been received by them 4 weeks after work was instructed and paid for. The firm agreed that there was a delay in preparing the documents, citing 'operational issues'. ADR found in favour of the complainant and that a refund of the fees paid by the complainant was due.

c) a description of any systematic or significant problems that occur frequently and lead to disputes between consumers and traders of which the ADR entity has become aware due to its operations as an ADR entity;

None

d) any recommendations the ADR entity may have as to how the problems referred to in paragraph (c) could be avoided or resolved in future, in order to raise traders' standards and to facilitate the exchange of information and best practices;

None

e) the number of disputes which the ADR entity has refused to deal with, and percentage share of the grounds set out in paragraph 13 of Schedule 3 on which the ADR entity has declined to consider such disputes;

None

f) the percentage of alternative dispute resolution procedures which were discontinued for operational reasons and, if known, the reasons for the discontinuation;

None

g) the average time taken to resolve domestic disputes and cross-border disputes;

9 days

h) the rate of compliance, if known, with the outcomes of the alternative dispute resolution procedures;

100%

i) the co-operation, if any, of the ADR entity within any network of ADR entities which facilitates the resolution of cross-border disputes

None required