

Biennial Report

Reporting period:

01 October 2021 – 30 September 2023

Schedule 6:

The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015

Foreword by the Head of Redress

I am proud to introduce our bi-annual report under the Alternative Dispute Resolution for Consumer Disputes (Amendment) Regulations 2015.

On 16 September 2015, The Property Redress Scheme (PRS) received approval from the Chartered Trading Standards Institute (CTSI) and the National Trading Standards Estate and Letting Agency Team (NTSELAT) under the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 (ADR Regulations).

Both CTSI and NTSELAT are authorised as competent authorities for the purpose of the work the PRS carries out under the ADR Regulations, with NTSELAT covering our estate agency work and the CTSI covering all other property related work, including lettings and property management.

As an established provider of alternative dispute resolution (ADR) and having authority to run a redress scheme for estate agents, letting agents and property managers under mandatory schemes authorised by The Department for Levelling Up, Housing and Communities and National Trading Standards Estate and Letting Agents Team, our approval allows us to help fill the gaps in the property sector in providing effective resolutions for consumers in what is an essential economic industry.

Everyone has experienced unprecedented disruption and challenges over the last two years as we emerged from a pandemic and into a very difficult period in the housing market with fluctuating supply and demand in the sales market, higher rents for tenants and increased costs for landlords as well as fire safety and leasehold reform proposals for property managers to get their heads around.

This inevitably has affected complainants and the numbers of complaints reported and having to be dealt with by our scheme. However, despite the increased volume of complaints, we are dealing with complaints faster and more effectively than ever before.

Our increased use of early resolution, delivered by a people centred approach, coupled with improvements in our systems has led to an increasing efficiency and satisfaction rate with our service, with no adverse effect on relative cost or reliability.

Post pandemic, we have adapted and evolved our service. We adopted and coped with remote working with no disruption or adverse effect on our delivery. We also retained our physical office and operate a hybrid working pattern, where most of our staff are in the office at least part of the working week. This gives us the flexibility to meet the needs of staff and maintain the collegiate environment that works well for our service. Together these developments enhance the wellbeing and welfare of our people and help deliver a consistently high standard of delivery.

We also have been working to fully explore how we can engage with the proposed reforms that - although stalled for a good while - will now be coming in over the next few years. Our experience and expertise place us well to be a big part of the changes and we look forward to the challenge.

Our ambitions are to continue to expand our service and continue to add to the help and support we provide to our members, their customers, and complainants. We continue to expand and enhance the resources and guidance we provide and to help improve and raise standards.

We set up a dedicated help line for agents and whilst this is separate and stand alone service from the approved schemes, it is promoted and used by an increasing number of our members as well as other agents who use the other scheme. We also continue to run a standalone mediation service and a voluntary landlord redress scheme.

These complimentary services demonstrate our commitment to a holistic and comprehensive service for the sector that goes beyond just resolving disputes and shows leadership and commitment to help protect consumers and professionalise the sector.



Sean Hooker
Head of Redress

Introduction

Statistical breakdown of complaints as required under Appendix D of the CTSI Requirements and Guidance on seeking approval as a Consumer ADR Body operating in non-regulated sectors:

Disputes received - initial enquiries	Sales	Lettings	Residential leasehold management	Other (inventory management company)	Cosmetic Redress
Domestic disputes received total	509	2833	654	227	4
Domestic disputes received 2021 – 2022	268	1271	312	107	0
Domestic disputes received 2022 – 2023	241	1562	342	120	4
Cross border disputes received	0	0	0	0	0
Cross border disputes 2021 – 2022	0	0	0	0	0
Cross border disputes 2022 – 2023	0	0	0	0	0

Disputes received - accepted	Sales	Lettings	Residential leasehold management	Other (inventory management company)	Cosmetic Redress
Domestic disputes received total	275	1542	365	92	1
Domestic disputes received 2021 – 2022	130	619	145	34	0
Domestic disputes received 2022 – 2023	145	923	220	58	1
Cross border disputes received	0	0	0	0	0
Cross border disputes 2021 – 2022	0	0	0	0	0
Cross border disputes 2022 – 2023	0	0	0	0	0

Disputes rejected	Sales	Lettings	Residential leasehold management	Other (inventory management company)	Cosmetic Redress
2021 – 2022	107	514	135	59	0
2022 - 2023	58	454	85	48	3
Total: Breakdown	165	968	220	107	3
a. No formal complaint raised with trader	44	368	66	31	0
b. Frivolous or vexatious/ unsupported complaint	0	6	0	0	1
c. Dispute being more appropriate for it to be considered elsewhere (e.g. court)	33	113	25	13	1
d. Claim value over £25,000	7	4	2	0	0
e. Not referred within 12 months	4	13	5	2	0
f. Dispute would impair effective operation	77	464	122	61	1

% Outside schemes remit	Sales	Lettings	Residential leasehold management	Other (inventory management company)	Cosmetic Redress
Percentage of cases discontinued for operation reasons (out of Scheme's remit) : 2021 - 2023	0.73%	0.65%	1.92%	1.09%	25.00%
2021 – 2022	1.54%	0.97%	1.38%	0.00%	0.00%
2022 - 2023	0.00%	0.43%	2.27%	1.72%	50.00%

Time taken	Sales	Lettings	Residential leasehold management	Other (inventory management company)	Cosmetic Redress
Overall average time taken – file to closure (days) : 2021 - 2023	34	32	31	33	25
2021 – 2022	36	35	33	39	-
2022 - 2023	32	30	29	30	25

Time taken	Sales	Lettings	Residential leasehold management	Other (inventory management company)	Cosmetic Redress
Average time taken for formal decisions (days) : 2021 - 2023	41	37	38	39	-
2021 – 2022	43	39	39	41	-
2022 - 2023	40	36	37	37	-

Rate of compliance with Head of Redress decisions	Sales	Lettings	Residential leasehold management	Other (inventory management company)	Cosmetic Redress
Total: 2021 – 2022	76.39%	76.35%	84.27%	90.91%	-
Total: 2022 - 2023	90.48%	76.42%	88.67%	72.73%	-
Early resolution: 2022 - 2023	100%	94%	100%	86%	-
Default decision: 2022 - 2023	54%	37%	68%	17%	-
Proposed decision: 2022 - 2023	92%	83%	82%	73%	-

Recommendations

PRS continues to analyse and research the nature of complaints between consumers and agents and to get to root causes of any failures and shortcomings. We are working to upgrade and enhance our reporting and analysis tools to make this process more efficient, consistent and reliable.

We are looking to drive down the length of time it takes to deal with complaints and have made solid progress here, especially through early intervention. We are looking at whether the time an agent has to deal with complaints before involving us can be reduced and therefore shorten the process even further. The scheme does not seek to disempower the agent's opportunity to resolve issues themselves, however our facilitation and help would greatly enhance their chances of satisfactory outcomes and in many cases mitigate the losses to both parties and reduce the stress and inconvenience of dealing with a complaint.

We continue our extensive outreach with regulators, authorities, and organisations in the sector as well as our own customers and people who use the service. We have recently revised and refreshed our governance structure to create two more representative and diverse bodies that advise and guide the scheme. Their input and scrutiny, are providing a vital insight in to how we operate, the impact the scheme is having and is helping us provide the tools and resources to help the sector adapt and become better at resolving and avoiding complainants.

PRS provides the following training to its ADR officials

PRS provides a range of training to its ADR officials on a regular and continuing basis, including:

- Continuing Professional Development (CPD) relevant to professional and vocational qualifications
- analysis of disputes received and associated in-house training
- legal bulletins and legislation updates