

Facilitated Complaint Resolution (FCR)

When we accept a dispute, the energy broker will receive an automated notification email from our dispute resolution platform. They'll be asked to respond by either sharing a case file with their views and evidence, or by making an offer to resolve things directly with the microbusiness.

After receiving the notification email, brokers have 18 calendar days to agree a resolution directly with the microbusiness. This Facilitated Complaint Resolution, or FCR process, enables brokers to achieve quick and efficient resolutions. When an FCR is achieved, we charge brokers a reduced case fee to reflect the level of service provided.

Our experience of FCR

In most cases, FCR has worked very well. In energy, over 25% of domestic and around 5% of non-domestic disputes are resolved through FCR. In communications, FCR is successful in over 20% of domestic cases and over 5% of non-domestic.

There have also been some problems. In approximately 5% of disputes resolved by FCR, we find that the agreed resolution either hasn't been implemented or doesn't resolve the underlying issue. This results in further frustration for the customer and increased cost for the supplier/broker as we then have to charge both for the failed FCR and the full consideration case fee.

As we want to encourage the use of FCR, our team have been working with service users to try to bring these disputes to their conclusion. Given this additional work isn't part of the FCR process we ask those who use our scheme to ensure that:

- Any resolutions offered are acted on promptly, within 28 days.
- The agreed actions resolve the dispute in full, avoiding further problems.
- Offers are clear and customers fully understand what they're agreeing to.

What happens if FCR fails?

Where action on the resolution isn't confirmed by a broker within 28 days we'll re-open the case. Where the broker confirms that the resolution action's been taken, but the microbusiness raise concerns, most cases will be reopened. All such cases automatically progress to the consideration stage.

How do brokers confirm FCR has been implemented?

Brokers need to confirm when they've implemented the agreed FCR action. This is simply done by clicking the "All resolutions implemented" button on our Dispute Resolution Platform (DRP). Brokers can also upload a copy of the letter sent to the microbusiness to confirm the agreed actions have been completed. This can help us to assist microbusinesses who contact us after a case has been closed.

If brokers don't confirm that the resolution has been actioned within 28 days, the system will assume FCR has failed and the case will automatically progress to consideration. The case status will change back to "prepare case" stage and the broker will be asked to provide a case file.

Where concerns are raised about resolutions, we check that:

- The broker has acted on the resolution. If they have but the microbusiness hasn't received confirmation, we may send them a copy of the relevant letter (if uploaded to our DRP).
- The problems being experienced by the microbusiness are a continuation of the original dispute.

Where there's disagreement around the agreed actions having been implemented or whether the root cause of the problem has been addressed, cases will progress to full consideration.

Requesting resolution extensions

The FCR process is designed for situations which can be resolved within 28 days, it's not suitable for resolutions that are likely to take longer. This is because the customer is likely to be dissatisfied with any significant delay, requiring us to consider the matter in full. Brokers should avoid proposing cases for FCR where the resolution(s) are likely to take more than 28 days to implement.

We appreciate that in some cases, brokers agree resolutions which are delayed for reasons beyond their control. We take the view that if the microbusiness is happy to wait slightly longer than 28 days, then there is no need for us to carry out consideration of the case. This is on the assumption that the outstanding actions are likely to bring the dispute to a conclusion.

It will be the broker's responsibility to agree to any delay with the microbusiness and to request a resolution extension from us. In these circumstances brokers need to keep the microbusiness and us updated on progress until the required work is completed.