

the way we handle cases

Case categories

In handling cases, we use two case categories — Enquiry and Complaint.

Two important things we take into account when deciding whether to take a case as an Enquiry or as a Complaint are:

- whether the member concerned has had a reasonable opportunity to address the complaint
- whether the matter falls within our jurisdiction as set out in EWOV's *Charter*.

Where a customer's issue isn't resolved after referral back to a member, or if the customer has already made several attempts at resolution, we accept the case as a Complaint which we investigate. Complaints require significantly more EWOV time and resources than Enquiries. They may also require us to obtain independent regulatory, technical or legal advice. Enquiries don't involve us in investigation, but they do require us to provide information and/or advice, or undertake research, and they may generate outward calls.

This year, 27% of EWOV cases were received as Complaints — up from 23% and 24% in previous years, and the highest proportion of Complaints since 1997/98.

Enquiries

Even though we may classify a customer's initial contact with us as an Enquiry, the vast majority of customers are calling because they have a complaint about their electricity, gas or water provider. Typically, they detail the issues to one of our Enquiry Officers who helps them progress the matter.

Complaints

Although discretion may be applied in specific circumstances, as a rule we don't accept a case as a Complaint unless the customer has made at least two attempts to resolve the issue with the member concerned.

We use three levels of Complaint, each with an increased cost implication for the member. Generally, if a Complaint isn't resolved within the required timeframe, it's upgraded to the next level.

Our investigation processes are informal rather than legalistic, with consideration being given to the wider context of each Complaint — what is fair and reasonable, good industry practice and current law. We focus on conciliation — where the customer and the member mutually agree on the outcome, as well as on any future action each may be required to carry out. At all times, our aim is to establish an objective view of what has happened, to help the parties better understand the issues, as well as each other's point of view, and thus reach an agreement with which they are both satisfied.

Where a case remains unresolved after detailed investigation and negotiation, the Ombudsman reviews it and may make a Binding Decision. Such a decision is binding on the member, while the customer may accept or reject it. If the decision is rejected by the customer, the member is released from its terms. The Ombudsman also has the discretion to discontinue an investigation where a case has insufficient merit.



2 Case handling procedure and 2004/05 case outcomes

