

POSTRS

Postal Redress Service

Annual Report 2009



Independence
Integrity
Impartiality

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Annual Report of the POSTRS Council

The Postal Redress Service Council was established in 2008 to oversee the operation of the IDRS Ltd Postal Services Redress Scheme. The Scheme provides an independent complaint review service for customers of licensed postal services providers who are dissatisfied with an operator's own response to their complaint.

The membership of the Council is listed below. There are two independent members including the Chair, Jodi Berg, two representatives from IDRS Ltd. and three industry representatives, two from Royal Mail Group and one from an industry body, the Mail Competition Forum representing the other organisations providing licensed postal services.

The Council's objectives are to ensure that the Service is fully funded; that its independence and integrity are maintained at all times; and that the Service is maintained in a manner consistent with its obligations under the conditions of Postcomm approval. The Council meets at least twice a year and more often when it is thought to be helpful to the good governance of the Scheme.

The POSTRS Council

Jodi Berg (Independent Chair) is a specialist in dispute resolution, a solicitor, a magistrate and a Fellow of the Chartered Institute of Arbitrators.

Bernard Quoroll (Independent) is a solicitor, a member of the Administrative Justice and Tribunals Council, an international election observer and a commercial and community mediator.

Luke March has been Compliance Director of Royal Mail Group since 2005.

Michael MacClancy represents the Mail Competition Forum (MCF)

Mike Granville is currently Head of Regulatory Relations for Post Office Ltd.

Allan Connarty is the Managing Director of IDRS Ltd.

Veena Kanda is the Director of Business Development of IDRS Ltd.

POSTRS Members

The following companies are registered as members of POSTRS.

- Citipost AMP limited
- City Cycle Couriers
- Cycle 4 U
- DX Network Services Limited
- Intercity Communications Limited
- Post 123
- Royal Mail Group
- Royale Research Limited t/a CMS
- The Mailing House Group Limited t/a Northern Mail
- TNT Post UK Limited
- Yellow Jersey Delivery Limited

Report by the Chair



I am pleased to present the annual report of the Postal Redress Service Council.

The postal service in the UK is a necessary and valued means of communication, document and parcel transportation. Tens of millions of postal transactions take place every day without incident, giving no cause for complaint. Sometimes however things go wrong. If they do, it is important for postal service providers to have robust internal systems to address concerns. Those still dissatisfied also need to be able to have their complaints reviewed by an independent organisation.

POSTRS offers a high quality review process for people dissatisfied with a postal provider's internal response to a complaint. It is not an advocacy service for complainants, but carries out an independent and objective review of their complaints leading to adjudication.

The Council's role is to monitor the operation of the POSTRS Scheme to ensure that it functions well and follows agreed quality and performance standards. The Council expects the service provided for customers to be accessible, transparent and efficient. We were pleased to note that the Scheme recently commissioned an independent review of its own complaint handling procedures to ensure that high standards are met and maintained. A new leaflet explaining the procedure is available on the POSTRS website.

Whilst we are satisfied that the Scheme is operating effectively in carrying out investigations and adjudications, it was clear from a recent customer survey undertaken by POSTRS (the full report is available to download from www.postrs.org.uk) that more could be done to improve the information given to complainants; for example by explaining the purpose and remit of the Scheme more clearly to all those who seek help and advice, whether or not their complaints are taken on. The Scheme is keen to ensure that lessons learned from customer surveys are fully taken on board and the Council will regularly review the effectiveness of steps being taken to address concerns raised.

Our primary duty is to safeguard the independence of the Scheme and its decision-making. During the year, we have met with service managers, administrators and adjudicators and are satisfied with the independence of the adjudication process. Whilst quality is high, the Council will continue to encourage improvements in practice and procedure, so that people who have need of the Scheme can refer complaints with confidence.

This year we continued to raise our profile amongst postal service providers, to secure their awareness of our interest in ensuring that the Scheme offers the best possible service for them and their customers. We also arranged for further information about the Council and its members to be available on the Scheme's website to provide greater public transparency about who we are and our role.

As well as regular Council meetings during the year, the Council also accepted an invitation from the Mail Competition Forum to attend a meeting to discuss the Scheme and the role of the Council. This was an opportunity to enhance mutual understanding and we look forward to further meetings in the future.

Report by the Managing Director of IDRS



IDRS Ltd was pleased to be selected to independently operate the Postal Redress Service (POSTRS) as part of modernisation of the postal service industry's strategy for addressing customer complaints. After a 2-month setting up period POSTRS was launched on 1st October 2008.

This report is a key part of presenting the industry, its regulator and the public with key information about our performance during the first year of POSTRS operation.

For me the most important part of the report is the feedback we have received from our users and potential users through the customer satisfaction survey. As with any organisation it is important that we learn from what our own clients and prospective clients say about their experience of the services we provide. A key element of the survey shows that we need to do more to improve our information pack for enquirers and we are now developing more focused, clearer leaflets for that purpose. As part of that we shall pay particular attention to providing an improved and easy guide for those who may need to refer a complaint to us about a postal service operator, telling them how the service works and how to apply, once they are eligible to do so. I was pleased however to note how many people thought that our website was delivering what they were looking for and was user-friendly.

The role of POSTRS is to resolve complaints between customers and postal services operators when it has not been possible for the customer and the service operator involved to find a solution through the company's own complaints handling system.

In reaching their decisions on such complaints the POSTRS adjudicators will always consider the facts, the evidence and, where relevant, the law. Their job is to produce a just decision in every case by examining the positions of both sides and then deciding, independently, what is fair and reasonable in all the circumstances. In publishing a decision the POSTRS adjudicators will always give the reasons why they reached the decision.

Report on POSTRS performance

POSTRS is approved by Postcomm and has an agreed a set of key performance indicators (KPI). They are used by the Council to oversee the operation of POSTRS. The full first year of KPIs is set out in the table below.

Name	Description	Q1	Q2	Q3	Q4	Year 2008/09	Targets
KPI 1	Percentage of calls answered by POSTRS staff within 2 minutes	100%	100%	100%	100%	100%	95%
KPI 2	Percentage of written correspondence receiving a response within 5 working days. (Note 1)	90%	97%	99%	100%	97%	100%
KPI 3	Percentage of Adjudicators' Final Decisions issued within 6 weeks of receipt of the application from the customer. (Note 1)	96%	85%	83%	97%	91%	90%
KPI 4	Percentage of Adjudicators' Final Decisions issued more than 8 weeks after receipt of the application from the customer and the reasons why	0%	0%	0%	0%	0%	<3%
KPI 5	Unit cost as an indication of improved efficiency: The total costs to members divided by the number of valid applications. Reported on a quarterly basis.	£724.15	£631.27	£618.68	£612.42	£646.63	

KPI 5 is a technical and complex calculation that is dependent upon a number of factors. It represents, to some degree, a distorted figure because of the low volume of cases in the Scheme's first year.

The following tables show some statistical information about customer contact and use of POSTRS during the first full year of operation.

The number of enquiries/contacts	POSTRS Members	Non POSTRS	Unknown	Main totals
Q1 (Oct 2008 - Dec 2008)	152	0		152
Q2 (Jan 2009 - Mar 2009)	194	6	3	203
Q3 (Apr 2009 - Jun 2009)	93	2		95
Q4 (Jul 2009 - Sep 2009)	93	4		97
Totals	532	12	3	547

The number of enquiries within the terms of reference of the Scheme (Accepted by POSTRS)	Total Enquiries	Billing	Business Decision	Damage	Delay	Incorrect Info Given	Loss
Q1	83	1	6	3	1	43	1
Q2	128			14	14		50
Q3	95			10	10		36
Q4	95			7	14		35
Totals	401	1	6	34	39	43	122

Continued below

The number of enquiries within the terms of reference of the Scheme (Accepted by POSTRS)	Mis-delivery (Didn't arrive)	Redelivery Failure	Redirection Failure	T&Cs (Terms and Conditions)	Other / Undefined	Customer Service
Q1	1	2	1	2		
Q2					49	1
Q3					34	5
Q4					26	15
Totals	1	2	1	2	109	21

Number of enquiries outside terms of reference of the Scheme (Rejected by POSTRS)	Total Enquiries	Premature	Non POSTRS Member	Over 9 Months	Product out of scope	General Enquiry	Business Decision
Q1	83	68	15				
Q2	75	63	4	1			
Q3	16	8	2	4	2		
Q4	11		4		4	1	2
Totals	185	139	25	5	6	1	2

Please note: Claimants' may complain about more than one issue. These figures represent the total number of issues.

The average response times between receipt of a complaint form and issue of the final decision (i.e. time taken by POSTRS to make final decisions on cases, number of days)	Number of Days
Q1	40
Q2	41
Q3	42
Q4	38

The number of cases which are out of scope and an analysis of the reasons why the cases were out of scope	Total Rejected	Premature	Non POSTRS Member	Product out of scope	Over 9 Months
Q1	9	5	1	3	
Q2	18	11		2	5
Q3	14	8		2	4
Q4	12	3	1	4	4
Totals	53	27	2	11	13

The number of cases split by those initiated as a result of a 'deadlock' letter.	No of cases (total)	With D/Lock letter
Q1	53	31
Q2	93	65
Q3	70	46
Q4	63	42
Totals	279	184

Number of cases dealt with by an adjudicator.	Wholly in favour of the Claimant	Partly in favour of the Claimant	Wholly or partly in favour of the claimant	Decision in favour of the postal service provider
	54	57	111	120

Report on Customer Service Satisfaction Survey

In order to benchmark customer experiences and satisfaction levels, POSTRS undertook its first POSTRS customer satisfaction survey. Conducted independently by an external agency (Gabriel Ltd) in November 2009, the survey covered the first full year of operation by POSTRS.

The objectives of the survey were to:

- Provide benchmarks of satisfaction for experiences of POSTRS by Users (a person who refers a complaint to POSTRS) and Enquirers (a person who made contact with POSTRS with an enquiry of some sort but who did not follow through to an actual case);
- Identify potential improvements to the service;
- Provide statistical evidence of satisfaction levels for publication.

Overview of findings

- This survey has generated benchmark satisfaction ratings which highlight a series of challenges for POSTRS:
 - The need to give a better first impression;
 - The need to give better initial information;
 - The need to give a realistic expectation of what POSTRS can do.

How would you describe your overall satisfaction with POSTRS?

Satisfaction levels present a real challenge to POSTRS. Satisfaction is an end-product of:

- Efficiency of process;
- Appropriate resolution / outcome;
- A sense of it being “a worthwhile exercise”.

Most people who have gone through the process do endorse POSTRS

- 44% of Users would definitely use POSTRS again
- It is early days yet, but very few had heard about POSTRS by word of mouth
- Those who have gone through the process have a high impression of the POSTRS service

The most satisfied customers are those who have been 'vindicated' by contacting POSTRS

"As I had an ongoing problem POSTRS were a delight to deal with - pleasant - v. efficient with a speedy result in the final analysis I was 100% impressed by their independent view - in my case totally fair."

"Without POSTRS intervention I would have got nowhere with my justified complaint with the postal service provider. For your help, I thank you."

"My case was settled by POSTRS in a very prompt and professional manner and I would recommend the service to anyone."

Helpfulness of Staff

Users were impressed with the service delivered by staff

"After a totally unsatisfactory experience with the postal service provider and then Postal Review Services it was refreshing to deal with staff of POSTRS - who responded to my communications and when they gave a timescale kept to it. Even though the result was in my favour, I would still have been impressed by the service if it had been settled in the postal service provider favour."

"Andrea was v. helpful and kept me informed of progress. Well done."

However customers need to feel that POSTRS can make a difference

"You make no difference and are a complete waste of time. The problem started 22 months ago and still going on. Get some teeth. Useless."

"POSTRS is of no value to the ordinary individual against a huge organisation. All you do is look 'blindly' at the fixed rules and provide no sensible interpretation as, for example, a court considers the whole picture. In my case you just repeated the postal service provider dogma. This of course will make absolutely no difference to the postal service provider's wrong methods."

"POSTRS said it was outside their scope & returned my complaint. POSTRS's predecessor had been very effective in taking up problems with the postal service provider (Postwatch) - POSTRS has proven useless."

"Once I was into the system, things were fine. However it was cumbersome and bureaucratic to get that far. Lots of repetition and duplication, sending several copies of the same document"

How can POSTRS improve its service?

- Timeliness and comprehensiveness of the information pack

Comment: One in 5 Enquirers had only contacted POSTRS for the information pack: we recognise that this is an important area on which we need to focus in order to enhance POSTRS' future performance

- Speed of response

Comment: Those writing in to POSTRS were happier with the speed of response than were telephone callers. We are making changes to our telephone information services.

The customer journey – summary

- Many respondents did not seek advice elsewhere before contacting POSTRS;
- More governmental bodies are referred to (rather than consumer advisory bodies);
- Postal service providers are currently the main channel through which Users contact POSTRS;
- Users are likely to have completed the complaints procedure before contacting POSTRS;
- Enquirers are likely to be making premature complaints;
- The web site is a significant 'first step' for half of all Users / Enquirers – and delivers what they are looking for.

Consumer Focus was found to have a larger role to play as a source of advice than, for example, the CAB. Postal service providers are required to advise customers of the next course of action

The internet is also an important source of information

The POSTRS website (www.postrs.org.uk) has an important role to play

Half of all people looked at the website before contacting POSTRS

- To find out about POSTRS (40%);
- For advice / find out how to? (33%);
- To check procedures (22%)
- To obtain contact details (18%);
- To check timescales (2%).

Most people found everything that they were looking for on the site.

Reasons given by respondents for visiting the POSTRS website more than once:

- To re-read a second time;
- To get further information & advice;
- To double check details;
- To download forms.

The case process: summary

- Two out of 3 applicants needed to send supplementary / additional information to POSTRS;
- POSTRS intervention was not perceived to have influenced the postal operator to concede;
- Most cases involved an Adjudicator – with disappointing outcomes for the complainants;
 - Creating a sense of ineffectiveness of POSTRS?

“POSTRS insisted I sent to them a copy of the all the letters etc I had written and rec'd from Royal Mail and Postwatch. I told them I would not do this and they should obtain them via the postal service provider. They refused, so the complaint was not considered. The postal service provider seems to think it acceptable to lose a letter containing a cheque for approx £29k and offer a book of 12 x 1st class stamps as sole compensation.”

Comment: POSTRS and Royal Mail are consulting on working to improve the channels of information and arranging for the transfer of papers when a case goes beyond their internal Postal Review Panel to POSTRS.

Most cases involved an Adjudicator, with some decisions reported to be begrudgingly accepted

In each quotation below the name of the company involved has been replaced by the words “postal service provider” and the identity providing the quote respondent is not given.

“My complaint was that I didn't adhere to the postal service provider's rules because their documentation was misleading. POSTRS supported that but couldn't rule that I should receive compensation. So my 'victory' was somewhat hollow as if the documentation had been clear the problem would never have arisen.”

“POSTRS is pointless, since all it does is uphold the postal service provider's incredibly stupid legal 'get-outs' instead of reaching a fair, considered decision.”

“The adjudicators report was slightly ambiguous, turning down the complaint but acknowledging shortcomings by the postal service provider and awarding compensation.”

“The adjudicator was completely biased and didn't even read what the complaint was about. He came out with the wrong conclusion, I was left upset and angry. The adjudication went for the big company rather than one individual. A very bad decision all round. POSTRS didn't give us any advice about how to go about things or any sort of aid. V. dissatisfied.”

“Although I was not wholly satisfied with the outcome of the case I was satisfied with POSTRS and the level of service it provided, the missing item of mail turned up in the end and I managed to retrieve it but we lost money in the process.”

“I have no issues with POSTRS, but remain concerned that items can simply disappear whilst in transit with the postal service provider's care (having paid for postage) and we have no recourse to justice. They simply say 'these things happen'. If you want to avoid it, pay for special delivery. This is not right!”

“POSTRS should have the power to make punitive damages decisions when the postal service provider lies and tries to get out of what they know is a valid claim. In my case the package was delivered in a plastic bag having been cut open and the contents removed. I should never have had to make a claim - they should have offered compensation rather than create a fake letter which POSTRS found out because they dated them after the date they claimed they were sent.”

Comment: Adjudicators make reasoned decisions based upon evidence, fairness and applicable law and within the limits set out in the POSTRS scheme rules.

The full results of the POSTRS Customer Service Survey are available at www.postrs.org.uk

Case Studies

The Case Studies are summaries of cases to highlight how POSTRS works and what kind of remedies are available. They are not the full case and are merely a guide rather than a precedent. The Adjudicator considers all the relevant circumstances in each case before coming to a reasoned decision.

CASE 1 - PROTECTIVE PACKAGING

Damage to an item during transit

The Customer ('C') sent a laptop computer ('the Item') using a service which guarantees delivery by 1 pm the next working day after posting. The Item, purchased by the Recipient for £495.00, was damaged in transit beyond economical repair and delivered to the Recipient in a damaged condition.

C submits that the Item's packaging met, if not exceeded, the guidelines of the postal service provider ('PSP'). The Item was packaged in protective material providing 14 cm of cushioning inside a rigid box. Such box was placed inside a larger, more rigid carton, and the gaps were filled with cushioning. C sent the Item and the original packaging to the PSP for inspection.

The PSP submits that there was no second rigid container and that the packaging requirements were not met. The PSP, upon second inspection, came to the conclusion that the outer container revealed no sign of damage and therefore held that the damage to the Item cannot have occurred during transit.

Adjudicator's decision:

C's claim succeeds in full. The PSP shall pay C full compensation for the Item plus a full refund of the postage fee of £20.70.

Reasons:

The submissions and photographic evidence provided by both parties show that C packaged the Item in accordance with the PSP's guidelines and that the Item was damaged in transit.

CASE 2 – LOSS OF ITEM

Cash-back vouchers

The Customer ('C') sent a cash-back voucher ('the Item') by a service which guarantees delivery by 1 pm the next working day after posting, to a company for redemption. The Item was lost and therefore could not be redeemed. Consequently, a second voucher became invalid because the Item had not been redeemed.

The postal service provider ('PSP') provided incorrect information to C. At the final stage of its complaints process, the PSP erroneously assumed that C had used a service which does not offer compensation if vouchers are sent, and therefore rejected any payment. The PSP's Customer Service Department found that only the delivery fee of £4.60 was to be refunded and wrongly regarded the loss of the Item as consequential loss.

Following more correspondence from C, the PSP realised that the loss of the Item was in fact direct loss and therefore compensation for the lost Item was paid to C. However, compensation for the second voucher was not payable because its invalidity was correctly regarded as consequential loss.

Adjudicator's decision:

C's claim succeeds in part. The PSP shall pay C compensation in the total sum of £30.00 for the stress, anxiety or inconvenience C suffered as a result of the PSP's complaint handling.

CASE 3 – INTERNATIONAL MAIL

Deadlock letter issued in error by the PSP

C sent stamps ('the Item') to the Recipient in another country by using a service offering fast delivery to many destinations abroad, including tracking in the UK and up to £500 compensation cover ('the Service'). The overseas provider maintained that the Item had been delivered to the Recipient and had been signed for. The Recipient insisted that he had not received the Item. The overseas provider refused to investigate the matter.

C claims compensation for the lost Item and also £50.00 compensation for the stress, anxiety or inconvenience suffered as a result of the complaint handling by the UK postal service provider ('PSP'). The PSP submits that it issued a deadlock code in error and that the Service falls outside the scope of POSTRS.

Adjudicator's decision:

C's claim succeeds in part. The PSP shall pay C 50% of the claimed compensation for the lost Item.

Reasons:

If a customer receives a deadlock letter from the PSP such customer has the right to use POSTRS to resolve the complaint, whatever the circumstance. Therefore the adjudicator's necessary jurisdiction was established.

It was not disputed that C used the Service and 'purchased enhanced compensation' as stipulated in the PSP's information guide. The parties did not submit sufficient evidence to establish a strict liability of the PSP to pay compensation. However, C had a reasonable expectation to receive compensation from the PSP if the Item was lost. The product description of the Service as published on the PSP's website and advertised to the public is misleading. The marketing of this product creates the impression that the customer purchases insurance

from the PSP. It follows that the customer may also claim payment under such 'contract or insurance' from the PSP. The adjudicator found that in view of the PSP's literature on the Service, the PSP has a duty of care towards C. If claims against the PSP under the Service may only be made whilst the item is still in the care of the PSP, this should be made clear to customers purchasing such Service.

CASE 4 – REDIRECTION OF MAIL

Claim for loss suffered as a result of missing mail

The Customer ('C') purchased a redirection of mail service (the 'Service') from the postal service provider ('PSP'). The Service purchased by C was to allow C an opportunity to continue to receive mail whilst in the process of notifying senders of the new address. The Service then allows senders not yet aware of the new address to send mail to C's old address, which is then redirected to C's new address.

The Service had failed to operate causing C to suffer loss as a result of not having important correspondence being delivered to C's address. Correspondence not delivered to C included financial documentation. The PSP had provided C assurances that the Service was rectified, however, the Service continued to fail. The PSP was unable to determine the whereabouts of C's missing mail.

The PSP decided that under the terms and conditions of the Service, the PSP was not liable to pay C any compensation for losses that are of a consequential nature.

Adjudicator's decision:

C's claim succeeds in part. The PSP shall award C £50.00 for the way in which C's complaint was handled. The PSP should apologise to C for the repeated failure of the Service. The PSP must award C two books of first class stamps. The PSP should make every reasonable effort to locate C's missing post.

C's claim for consequential loss fails. C's request for confirmation that her mail has not been stolen or tampered with fails. C's claim for direct loss succeeds.

CASE 5 – LOSS OF ITEM

Claim for loss, stress and inconvenience

For the purposes of this case study, 'the Service' means a service which guarantees delivery by 1pm the next working day after posting. The Service is one of a number of services provided by the postal service provider ('PSP').

The Customer ('C') used the Service to send a mail packet, containing a number of ceramic items valued at £220.00, to the recipient. C submitted that the mail packet was not delivered to the destination address. C claimed the sum of £220.00 to cover the cost of the lost items. C claimed a further sum of £20.00 for the stress, anxiety or inconvenience she had suffered as a result of how the PSP had handled her complaint. The PSP contended that it had delivered the mail packet to the destination address.

Adjudicator's decision:

The Adjudicator found that section 92(7) of the Postal Services Act 2000 imposed an obligation on the PSP to show that it had not lost the mail packet. The evidence submitted by the PSP did not satisfy the Adjudicator that the PSP had managed to discharge the burden placed upon it by section 92(7). However, the Adjudicator was satisfied that the PSP had handled the complaint in accordance with its complaint-handling procedures. Consequently, the Adjudicator directed the PSP to pay C the sum of £220.00 to reimburse her for the cost of the lost items, but dismissed C's claim to be paid a further sum of £20.00 for stress, anxiety or inconvenience.

CASE 6 – DAMAGED ITEM

Damage to ceramic plate during transit

For the purposes of this case study, 'the Service' means a service provided by the postal service provider ('PSP') which aims to deliver parcels within the UK within three to five working days after posting.

The Customer ('C') sent a plate using the Service. The recipient received the plate in a damaged condition. C submitted that the plate was damaged whilst in the custody of the PSP. C claimed compensation for the cost of replacing the damaged plate and the cost of postage and packaging. C also asked the Adjudicator to direct the PSP to improve its website.

Adjudicator's decision:

The Adjudicator found that the PSP should reimburse C for the cost of postage and packaging, but not for the cost of replacing the plate since liability for damage to ceramic items is excluded by the terms of the Service.

The Adjudicator also found that the PSP's website would benefit from improvements, but decided that it would be inappropriate in the circumstances to use his powers to direct the PSP to revise its website. Instead, the Adjudicator recommended that the PSP continues to review the layout and content of its website, giving particular consideration as to whether it would be better, from a customer's perspective, to have all the terms and conditions about a product, or service, on one web-page.

CASE 7 – LOSS OF ITEM

Lost birthday card and gift vouchers

For the purposes of this case study, 'the Service' means a service where a signature is obtained on delivery. The Service is one of a number of services provided by the postal service provider ('PSP').

The Customer ('C') used the Service to send a mail packet ('the Packet') to the Recipient. The Packet contained a birthday card and four gift vouchers (each worth £5.00). C asserted that the PSP had lost the Packet. As the PSP was unable to locate the Packet or its contents, it provided C with six stamps as compensation. C was not satisfied with the compensation

provided by the PSP. Consequently, C claimed compensation in the sum of £20.00 and asked the Adjudicator to direct the PSP to apologise.

Adjudicator's decision:

The Adjudicator found that the PSP was not liable to pay compensation for the lost vouchers, since the terms and conditions of the Service exclude liability for lost or damaged 'Valuables', and vouchers fell within the definition of 'Valuables' as set out in the terms and conditions. However, the Adjudicator found that the PSP should (i) reimburse C for the cost of the birthday card, and (ii) provide C with an apology for losing the Packet.

CASE 8 – REFUSAL OF COMPENSATION FOR LOSS OF ITEM

Cash sent by Post

The Customer ('C') sent £20.00 enclosed in a card ('the Item') by a service which aims to deliver a mail item the next working day after posting and also obtains a signature on delivery. Delivery was attempted, but the recipient was not at home to sign for the Item and no further attempts of delivery were made. C did not write her address on the reverse of the Item.

The postal service provider ('PSP') had transferred C's Item to its 'lost and found' department. In the absence of a return address on the reverse of the Item, the PSP could not post the Item back to C's address. C's Item was lost at the PSP's 'lost and found department'. The PSP refused to pay compensation to C as cash and valuables should not be sent using the service purchased by C. The service purchased by the C does not offer compensation cover for valuables and cash.

Adjudicator's decision:

C's claim fails. C did not comply with the terms and conditions of the service used. C did not purchase the appropriate service which enables valuables and cash to be sent through the postal system. The PSP is not liable to pay compensation where its terms and conditions have not been fulfilled.

CASE 9 - COMPENSATION AND EVIDENCE REQUIRED

Item not delivered

The Customer ('C') sent 'two large folders of First Day Cover stamps ('the Item') using a service which guarantees delivery by 1 pm the next working day after posting. The Item was not delivered to the recipient and was deemed lost. C submits that the service purchased provided 'automatic compensation' in the event of the Item being lost or damaged. The Postal Service Provider (PSP) did not compensate C as she did not submit additional evidence in support of the loss incurred.

The PSP submits that customers can claim up to £500.00 or the value of the item, whichever is lower, subject to receiving evidence of the actual loss sustained. Evidence such as a valuation or evidence of sale price would have allowed the PSP to determine the value of the Item. C submitted a copy of a winning bid for an item similar to the one in question. The PSP rejected the evidence as it did not corroborate the actual loss C sustained.

Adjudicator's decision:

C's claim for direct loss fails.

Reasons:

The evidence provided by C did not provide proof of the direct loss sustained, as the evidence related to a similar product for a different quantity. Consequently, in the absence of substantive evidence in support of the amount claimed the Adjudicator was unable to award the sum claimed.

CASE 10 – LOSS INCURRED AS A CONSEQUENCE OF DELAY

Delay

The Customer ('C') sent a letter containing financial documents ('the Item') by a service which guarantees delivery by 1 pm the next working day after posting, to Companies House. The Item was guaranteed to be delivered on 30 June 2009. However, the Item was delivered on 1 July 2009. As a consequence of the delay caused in delivering the Item, C incurred financial losses in the form of a fine. The postal service provider ('PSP') acknowledged the delay and apologised to the C. The PSP did not compensate C as the loss incurred was of a consequential nature which was not covered by the terms of the service purchased.

Adjudicator's decision:

C's claim for direct loss failed. C did not purchase the necessary consequential loss protection. In the absence of any evidence which proved that C had purchased the necessary protection the Adjudicator decided that it would be unfair and unreasonable for the PSP to recompense C.

CASE 11 – DELAY

Delay and consequential loss

The Customer ('C') received numerous items of mail, including cheques dating back to July 2007. The items were not delivered to C as the company holding them was undergoing refurbishment. C was unable to cash the cheques as they had expired. Consequently, C claimed direct loss. The Postal Service Provider ('PSP') submitted that the mail was returned to C at the earliest opportunity. However, the PSP could not compensate C as the loss incurred was of a consequential nature because the delayed cheques did not have any intrinsic value. Furthermore, C did not provide any evidence that the necessary consequential loss protection was purchased at the time of posting.

Adjudicator's decision:

C's claim for direct loss failed.

Reasons:

C's claim in essence was about the loss incurred as a consequence of the delay caused by the PSP in delivering mail. Cheques do not have an intrinsic value or any inherent value unless honoured. C did not provide evidence that cheques were honoured. Consequently, C's claim for direct loss failed.

CASE 12 – ACKNOWLEDGEMENT OF RECEIPT

Denial of receipt

The Customer ('C') sent gold coins in three separate parcels to the recipient using a service which guarantees delivery by 1 pm the next working day after posting. The recipient notified C that he had signed for two of the three parcels. C checked the Postal Service Provider's (PSP) website which stated that the third parcel had been delivered to the recipient. The PSP had sent C proof of delivery illustrating that the third parcel had been delivered. C submitted that the proof of delivery was not conclusive as there was no signature obtained for the third parcel.

The PSP asserted that the recipient had signed for seven items on the day of delivery by spanning his signature across the delivery sheet. The recipient did not question the whereabouts of the third parcel at the time of delivery.

Adjudicator's decision:

C's claim for direct loss failed.

Reasons:

The Adjudicator found that on a balance of probabilities the recipient had acknowledged receipt of the third parcel. It is the recipient's duty to raise questions at the point of delivery and to correctly sign for items. It would have been unfair and unreasonable to direct the Company to recompense C as the correct delivery procedure was followed.

CASE 13 – DELIVERY ERROR

Claim for direct loss suffered as a result of a delivery error

The Customer ('C') was the intended recipient of an item sent to her using a service which guarantees delivery by 1pm the next working day after posting. The Postal Service Provider ('PSP') attempted to deliver the item to C in accordance with the specifications of the service. C was not available to acknowledge receipt and therefore the PSP returned the item to its delivery office.

C requested that the item be redelivered to her address and submitted that the PSP did not deliver on the requested dates and times. The item did not reach C and was subsequently returned to the sender. C did not have the item which she purchased. Consequently, C purchased a replacement at an additional cost. The PSP acknowledged that one of the requests was not carried out; an apology was given to C. The PSP asserted that the delivery failure did not fall within the scope of the POSTRS scheme.

Adjudicator's decision:

C's claim for direct loss succeeded.

Reasons:

The Adjudicator found that C's claim for direct loss succeeded and the PSP must apologise to C for not fulfilling C's request to have the item redelivered on a specific date and time. The delivery error did fall within the scope of the POSTRS scheme as it related to one or more of the products or services provided by the PSP. Furthermore, mail once accepted into the postal network using the PSP's product or service can reasonably be expected to be delivered. C made reasonable endeavours to mitigate losses by providing the PSP with opportunities to redeliver the item. The item was not delivered to C and as a result C suffered direct loss. In the circumstances it was fair and reasonable to direct the PSP to recompense C for the replacement of the item.

Website Statistics for 2009 (www.postrs.org.uk)

Website statistics for the POSTRS website are not available for the first three months of service from October until December 2008.

Total hits history for 2009:

Jan	6122
Feb	6132
Mar	7445
Apr	9047
May	8985
Jun	9054
Jul	9537
Aug	8117
Sep	8682
Oct	11663
Nov	8857
Dec	9396

Breakdown for December 2009:

Referred from a website:

4511 – 48.01%	Direct request
111 - 1.18%	Royal Mail Site
54 – 0.57%	Google

Top Downloads:

4511 - 48.01%	POSTRS Website – Not specified
269 – 2.86%	Case studies
82 – 0.87%	Scheme Rules

Top search strings

Postrs
www.postrs.org.uk
postal redress service

Report by the IDRS Independent Reviewer



During the first year of operation of POSTRS no complaints were referred for independent review.

I fulfilled my second year as Independent Complaints Reviewer for IDRS during 2009. In this time I investigated five complaints. These complaints were submitted by complainants who remained dissatisfied with the service they had received from IDRS. They had all been through IDRS internal processes and had been investigated by the Managing Director.

Each complaint was investigated by a review of all documentation, and where appropriate, a further discussion with the complainant. The matters complained about, which fell within my remit, included:

- Failure to meet published time scales and published procedures
- Further delays in investigation
- Role of Managing Director in the process
- Investigation at Stage Two of the Complaint Process
- Evidence of bias on the part of IDRS
- Quality and clarity of Guidance Notes provided by IDRS
- Discourtesy
- Accuracy of calculations
- Administration of redress

I have investigated each complaint in detail, initially producing a chronology which was confirmed as accurate with both IDRS and the complainant. Once that had been agreed, I then produced a report, confirming my findings and either upholding the original complaint or not, as I considered appropriate, depending on the findings. My findings were as follows. I found:

- Evidence of some delays in the administration of some complaints
- IDRS followed their published procedures in the majority of the complaints investigated
- In respect of some complaints, signposting to the next stage was not always followed
- Some evidence of maladministration in the processing of some complaints
- Some complainants had not received accurate information, during the complaint investigation process
- Procedures for financial redress were not always followed

As well as providing a report to the complainant, I have also made a number of operational recommendations to IDRS. As a result of these recommendations I was requested to conduct a comprehensive review of the complete complaint handling operation. I did this, using Quality Assurance guidance from the British Standards Complaint Handling Standards BS 8600-1999, and have made a number of recommendations. As a result of these IDRS have amended their

current processes, and launched a revised Complaint Procedure on 1st January 2010. This has included a revision to the stages, supported by new information leaflets, and comprehensive documentation. It is hoped that this will prove of assistance to future complainants. Since that date I have not had any complaints referred to me, indicating that the new process is working well to the benefit of the complainant. I will be monitoring the situation throughout the year, and will report on my findings in next year's report.

Ros Gardner

Independent Complaints Reviewer

Ros Gardner is the Independent Complaints Reviewer for IDRS. POSTRS customers who have a complaint which is unresolved by our internal complaints system may have their dispute referred to Ros for independent investigation.