



Alternative Dispute Resolution Service - MCS Consumer Guide

The Furniture & Home Improvement Ombudsman is an independent, not-for-profit Alternative Dispute Resolution (ADR) organisation. The Ombudsman investigates complaints and helps resolve disputes between a consumer and an MCS certified installer.

We are a government approved provider of ADR in the United Kingdom, and we apply the Chartered Trading Standards Institute (CTSI) Code of Practice which can be found on our website. We also work with a wide range of stakeholders including the Citizens Advice service, the Department for Business and Trade, Energy and Industrial Strategy and regional trading standards offices.

The work that we do is impartial; we are neither a consumer champion nor a trade body. We will work with you and the MCS certified installer to resolve your dispute and we will provide information arising out of this to MCS as part of their ongoing monitoring and surveillance activities.

Our overall aim is to raise standards and inspire consumer confidence, and we work to uphold the key principles of the Ombudsman Association whilst delivering our ADR service, namely:

- Independence
- Fairness
- Effectiveness
- Openness and Transparency
- Accountability

If you have a complaint against an MCS certified installer that neither they nor MCS have resolved and you are therefore now in dispute, you may be able to refer your case to us.

Can we deal with your Dispute?

FHIO can consider a dispute with an MCS certified installer where:

- The installer was MCS certified at the time of the installation, for the renewable technology that you've had installed.
- The Installer is still trading



- You have referred your dispute no later than 12 months after you received a final outcome from MCS
- You have already been through the MCS certified installer's in-house complaints handling procedure and raised your complaint with MCS and either; they have issued their final outcome (deadlock) letter, or 12 weeks have passed since you submitted your complaint.

Disputes we can consider.

FHIO can consider a dispute relating to:

- Poor service
- Poor quality of goods
- Failure to meet MCS Scheme Requirements
- Unfair treatment

When can we not look into your dispute?

We cannot normally investigate your complaint if you are a business. In these cases, the complaint will more usually be suited to the County Court. This will be assessed by the ombudsman on a case-by-case basis.

We are unable to investigate your dispute in the following circumstances:

- Your dispute has not previously been referred to the MCS certified installer
- Your dispute is against an installer who was not MCS certified at the time of the installation, for the renewable technology that has been installed
- Your dispute is related to a contract that was entered into under the original MCS Scheme and not the reformed MCS Scheme. If this is the case, we may still be able to accept the dispute if your contract was entered into after 01.01.2025 and your installer agrees to engage in our ADR scheme, and they confirm that they agree to be bound by the outcome. MCS can advise you if you're not sure
- Remedial works have been carried out by a third party
- Your dispute is being or has been dealt with by a court or other redress scheme
- Your dispute concerns alleged criminal activity
- Your dispute requires a full legal decision and/or legal sanctions



- Your dispute was referred to the Ombudsman over 12 months from MCS's final outcome letter
- Your claim is for more than £10,000
- Your dispute is reasonably determined to be frivolous or vexatious
- Your claim relates to an insurance claim
- Your dispute is against an Installer who has ceased trading
- Your dispute relates to a personal injury or medical claim
- You have already accepted an offer from the business
- Dealing with such a dispute would seriously impair our effective operation
- Your dispute relates specifically to a finance or credit agreement

What will the Ombudsman do?

As part of your application to the Ombudsman you will be asked to agree to us contacting the MCS certified installer about your dispute and requesting information and a response from them. Please note that a copy of our Privacy Policy can be found [here](#).

When we receive your application form, a copy of your contract and the installers response, (whether via MCS or directly from you) we will pass your file to one of our Ombudsmen who will undertake an initial case review – largely based on the documents and information sent to us by both parties, but we may make other enquiries.

Early Resolution?

Our Ombudsmen will look at the history of the problem and all evidence presented. We will contact you and the installer to enable the dispute to be resolved quickly and informally. Where this is not possible, we will decide whether we need further information from you or the MCS certified installer.

Once the Ombudsman has made a decision, we will send a written copy of this to you and the MCS certified installer. This includes our view on the validity of the dispute and any action that should be taken to resolve it.

Any award that we make in your favour is to compensate you for any loss you may have suffered and which we feel is appropriate in your particular case. In coming to this decision, we will look at the installer's terms and conditions; their



obligations under MCS Scheme Requirements and the applicable consumer law.

The decisions that we make are in relation to the dispute between you and the MCS certified installer. We do not intervene where insurance or third-party claims are concerned and our awards do not include these. This decision is binding on the MCS certified installer and legally enforceable against them.

The decision will also be notified to MCS as part of their ongoing monitoring and surveillance activities. The consumer has the right to pursue the matter further through alternative channels if they choose to do so.

The Ombudsman process can make awards of up to £10,000 in compensation in any single dispute (in addition to the purchase price of the goods/services that were contracted). Claims for amounts in excess of that sum may be more complex and thus better suited to a claim in the County Court.

Where can I get an application form?

The quickest and easiest way to escalate your dispute is for MCS to do this on your behalf. If you would prefer to raise the dispute directly with us, please complete the application on our website [here](#) or call us on 0333 241 3209 and we will post or email one out to you.

Please be aware however, that this will mean we'll need you to repeat information again, that you may already have shared with MCS.

How long will the Ombudsman process take?

It is difficult to give any firm estimates as the time taken to consider each case will depend on the complexity of that case and how much the parties disagree. However, the process could take up to 90 days, which may be extended if a case is particularly complex. It is necessary for us to deal with each case in the order in which it is received.

If your situation changes, or if there is any new information that you wish to be considered please contact us with this, ensuring that you quote your case reference number and we will update your case file.



We do not routinely acknowledge or respond to all of these at the time that they are received. You can expect to receive a response from us at the following stages:

- When we receive your application form and supporting documents and the installer's response
- When we have conducted our initial case review, if we decide we need further information from you, or need to get the works and/or products tested or inspected
- When we have made our decision

To review our most recent set of statistics relating to case outcomes and average case times please visit the Case Statistics page on our website or refer to our latest Annual Review [here](#).

Will I need legal representation?

Neither party is obliged to appoint a lawyer or legal advisor in order to access our dispute resolution service. However, if either party is unsure of their rights or obligations, we recommend that they seek the appropriate advice.

What will I need to provide?

Each case is decided based on the evidence available and the relevant legal position.

Any evidence provided will be evaluated by the Ombudsman and as part of our process, we may request additional information from you or the installer to support in the decision-making process.

We will need the following documents: (Please note that if your dispute is being referred to us by MCS on your behalf, we will obtain from them. If however, you are applying to us for ADR directly, you will need to provide these)

- A final outcome letter from MCS (unless 12 weeks have passed since your complaint was submitted to them)
- A copy of your contract and supporting evidence
- Any correspondence relating to your complaint between you and the MCS certified installer

How will the Ombudsman assess my dispute?



The Ombudsman is a recognised alternative dispute resolution body. This means that we will decide cases along the same principles as those used by the courts. We will take account of relevant consumer legislation, together with MCS Scheme requirements.

Like the courts we will make awards (which could include compensation) where appropriate.

However, unlike in a court of law, we have no power to cross-examine witnesses under oath. As such, there are occasions where we may not be able to come to a formal decision. We will always ensure we arrive at a decision based on what appears to be fair and reasonable in the circumstances.

Offers made to resolve disputes informally

We will always consider – and actively promote and support – any opportunities for reaching a resolution between both parties.

However, please note that if the installer has already made you any form of financial offer by way of settling your dispute – be it of compensation or goodwill – that offer may lapse on referral of your dispute to us. We will make our own decision based on the information and evidence submitted to us, and that decision may award more or less than any sum already offered by the installer.

If the Ombudsman rules in your favour, what is the likely outcome?

The Ombudsman may rule that the installer needs to make a financial award, however we cannot compel an installer to provide explanations as to why something may have gone wrong or make them apologise.

Our obligation is to make a decision that will resolve the dispute. We will act as an alternative to the courts, and where necessary make a formal decision as to what should be done. We also have more flexibility than the courts to identify creative remedies to resolve a situation therefore we may arrive at a non-legal outcome.

How do I accept the award?

If you wish to accept an award which has been made by the Ombudsman, you must communicate this (preferably to the installer) within 20 working days.



What if I do not agree with the Ombudsman's decision?

The decisions made by the Ombudsman are not binding on consumers, which means they remain free to pursue the dispute through other channels.

Consumers can withdraw from the process at any time, and the outcome will only be binding on them if they agree with our decision about what should be done to resolve the case. We would advise that you seek professional legal advice before taking further action, for example by contacting Citizen's Advice on 08 454 04 05 06.

Does the MCS certified installer have to do what the Ombudsman says?

The Ombudsman is an alternative dispute resolution provider, not a regulatory body. We cannot impose penalties or sanctions on installers. Our authority is limited to issuing decisions and awards that are binding on the installer if accepted by the consumer. You are therefore prevented from making any further claims for compensation against the installer in relation to this dispute.

If the Ombudsman makes an award, and you accept it, it is expected that the installer will contact you to arrange any necessary works and/or process any financial settlement within 28 working days.

What if I still don't accept the Ombudsman's decision?

Whilst our decisions are binding on the installer, they are not binding on you as a consumer. As such you may choose to reject the decision. If you wish to take further action, this avenue remains open. Your legal rights are not affected by our decision; however, the Ombudsman's decision may be considered by a Court.

Can I see details of the awards you have made in other cases?

No. Our decisions remain strictly confidential between the parties involved and MCS who will be notified of the outcome as part of their ongoing monitoring and surveillance activities. We will only disclose details of our decisions to the Ombudsman Standards Board and any other body that is relevant with regard to the administration of our work. We will not disclose any of the details to anyone else.

How many consumers win their case?



To review our most recent set of statistics relating to case outcomes and average case times please visit the Case Statistics page on our website or refer to our latest Annual Review [here](#).

How is The Furniture & Home Improvement Ombudsman independent?

Board of Directors

Comprising a Chair and a majority of non-executive directors, the Board is responsible for appointing the Chief Ombudsman and providing governance. The Board also helps to safeguard the Ombudsman's interests so that it is free to operate effectively and independently.

The Ombudsman Standards Board

To help preserve our independence and provide an invaluable set of checks and balances on our work, the Ombudsman Standards Board acts to regulate how we operate. All Board Members share our vision of inspiring consumer confidence and raising industry standards and do so on a voluntary basis.

Governed by a set of byelaws, the Standards Board regularly reviews a cross section of our adjudications, to ensure they are both fair and reasonable. It also oversees our rules, practices and procedures.

Our Staff

Our ombudsmen are qualified professionals experienced in the operation of ombudsman schemes and resolving complex consumer disputes. All of our staff are expected to abide by our Values (which can be viewed [here](#).)

The Ombudsman Association

The Ombudsman is a full member of the Ombudsman Association. This voluntary membership helps us to illustrate our commitment to integrity and independence.

Is the Ombudsman approved by Government to provide Alternative Dispute Resolution services?

Yes. We are approved by the Chartered Trading Standards Institute (the Competent Authority) to provide our services under the Alternative Dispute



Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015. You will see our services listed [here](#).

How is the Ombudsman funded?

The Ombudsman is a not-for-profit organisation which, like many other schemes, is funded largely by the fees that we charge the businesses who are registered with us. This helps us to ensure that our dispute resolution service remains free for consumers to use.

Our independent status is preserved by our Board of Directors, Standards Board and is also fundamental to our approved status under the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015.

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