

British Association of Landscape Industries (BALI)

Quick Start Guide

Inspiring consumer confidence since 1992



Dispute Resolution Ombudsman (DRO) has jurisdiction to investigate unresolved disputes between complainants and BALI's accredited contractors or designers.

What are the benefits of our Dispute Resolution service?

- Dispute Resolution Ombudsman is independent and impartial
- The service is free for customers of the BALI member
- The service will provide a clear resolution that the BALI member is legally bound to comply with
- The resolution process is easy to access, meaning you can avoid potentially lengthy and costly litigation.

When can we help?

It is important you have given your contractor or designer a reasonable opportunity to fully investigate and respond to your complaint before contacting DRO.

The Ombudsman will accept your complaint if;

- You have been provided with a final response from the business and they have referred you to the Ombudsman
- Or it has been 4 weeks since your first complaint to the BALI member and you have not had an acceptable response at this point.

What type of complaints can we help with?

The Ombudsman can look into a complaint about;

- Work carried out by a BALI accredited designer or contractor
- The service you have received from a BALI accredited designer or contractor.

What complaints can't we help with?

The Ombudsman cannot help if;

- Your complaint is with a business that is not currently accredited by BALI

- Your complaint is with a BALI member who has entered administration, liquidation or has ceased trading
- Your complaint is already being dealt with by a court or another Ombudsman scheme
- You have previously accepted a resolution in full and final settlement of your dispute
- It has been more than 3 months since you received the final response about your complaint from the BALI member.

What is the process?

- You will complete an application form which can be accessed via our website. This will capture all the details about your project and ask you about your complaint. In addition, we will ask you to submit supporting evidence including:
 - All project documentation, including contract, design drawings, specification and bill of quantity
 - High resolution photographs of the project – and the aspects which concern you
 - All correspondence exchanged during the project
 - Details of any variations agreed during the project
- We will forward the completed application form and evidence to the BALI member responsible for the project, and ask them to respond with their own account and supporting evidence
- An Ombudsman will be assigned to assess the documents and begin a process of conciliation between you and the BALI member
- Where an agreement cannot be reached or where the Ombudsman has been unable to make a decision based upon the evidence provided, the case may proceed to adjudication. At this point an Independent Expert Witness may be asked to visit the location of the works to provide their opinion.
- With a complete case file, the Ombudsman will then write their Adjudication report.

How will we make a decision and what are the possible outcomes?

A decision will be made based on evidence supplied, legal obligations of both parties and what appears to be fair and reasonable given the circumstances of the case.

Whilst the BALI member is bound by the decision of the Ombudsman, as a consumer you are not and remain free to pursue your complaint via an alternative method should you disagree with DRO's outcome.

As a provider of alternative dispute resolution services, DRO has more flexibility than the legal system to identify remedies to resolve a dispute. Solutions may include:

- Remedial works
- We can ask the business to provide an explanation or a gesture of goodwill
- Refund (full or partial)

- Compensation (you will need to evidence any losses incurred)

How to raise your complaint

The fastest way to raise your complaint is via our secure online portal which you can access via our website - www.disputeresolutionombudsman.org

Should you prefer, you can download a copy of our complaint application form or contact our office who will happily post you a paper version to complete.

About us

We are an independent not-for-profit organisation, we provide alternative dispute resolution (ADR) helping businesses and their customers resolve disputes without the need of the courts. Established in 1992 we are a full member of the Ombudsman Association and approved by the Chartered Trading Standards Institute, our work is also overseen by an independent Standards Board.

Part of the Ombuds Group, we operate various schemes including the Dispute Resolution Ombudsman, the Rail Ombudsman and the Furniture and Home Improvement Ombudsman.