

Press Distribution Charter

Stage 3 - Independent Arbitration Decision

PDC Reference Number:

PDC241713/28/05/14/1

Date First Issued:

28/05/2014

Name of Arbitrator:

Neil Robinson

Date complaint sent to Arbitrator:

11/8/2014

In the matter of the Arbitration Act 1996 and in the matter of a dispute between Mr. Retailer, and Smiths News, 105, Whitby Road, Slough, Berkshire, SL1 3DR. This complaint concerns alleged failure by Smiths News to maintain accurate records of newspaper vouchers forwarded to it by Mr. Retailer thereby failing to debit and/or credit his account accurately.

Mr. Retailer had occasion to query the accuracy of four separate voucher envelopes which showed discrepancies of quantity both under and over. He maintains comprehensive and accurate records of the vouchers that he sends to Smiths News and is of the opinion that it needs to take the measures necessary to eliminate the pattern of errors he is experiencing. He is also complaining about the 'generic and universal responses' that he has received from Smiths News concerning his complaint.

Smiths News claim that its handling agent, EAV, had placed Mr. Retailer on a 'VIP Check' which meant that the customer service team scanned the voucher envelope and then double checked the values credited against that claimed. It has now put Mr. Retailer on a 'Super VIP' check and his envelope and vouchers will be retained in case of alleged discrepancy. It has also reinstated the in-house checks whereby Mr. Retailer's voucher envelopes will be checked at the depot before being submitted to the handling agent. It reports that since the enhanced procedures have been put in place Mr. Retailer has not notified it of any further discrepancies and therefore measures taken would seem to have been successful.

Having considered the evidence before me, I adjudicate as follows:

1. It is clear to me that Mr. Retailer maintains detailed records in relation to his own voucher handling and, accordingly, I do find that Smiths News has failed to meet the Press Distribution Charter Standard 7.3 - "All valid vouchers returned will be credited within 14 days of return."
2. By my calculations, Mr. Retailer is in credit to the value of £1.10 as a result of having received voucher credit to which he was not entitled. Having said this, I must point out that Mr. Retailer made full declaration to Smiths News with regards to discrepancies that he had benefited from.
3. It is not clear to me from the evidence submitted whether there has been a reconciliation of the monetary side of the dispute, but if that has not taken place I direct that Smiths News attends to this as soon as possible.

4. I have no jurisdiction over local arrangements between Mr. Retailer and Smiths News concerning the administration costs incurred when there are discrepancies.
5. Wherever possible the PDC dispute process tries to correct or resolve the problem being complained off. It would appear to me that, in this case, Smiths News has instigated additional checks into Mr. Retailer's voucher handling in an attempt to address his problems. Furthermore, it would appear that since these have been in place, errors have been eliminated. In these circumstances, I direct that Smith News maintains the enhanced procedures until the end of 2014.
6. I have no jurisdiction over the quality or content of Smiths News's 'wholesale response to retailer's complaint' except as so far as it is an integral part of the basis for the complaint. Any inadequacies in Smiths News evidence will be taken into account when formulating the adjudication.

Signature of Arbitrator: Neil Robinson (email)

Date: 11th August 2014

Seat of Arbitration: London, England.

Date form returned to PDC Administrator:

13/8/2014

Date Independent Arbitration Decision sent to Wholesaler & Retailer:

18/08/2014