

CONFLICT OF INTEREST POLICY

(as at 1 May 2016)

Key

ISB: Independent Standards Board of CDRL

Chief Executive: John Facenfield or anyone holding such title

Line Manager: Your immediate supervisor

This Conflict of Interest Policy applies to:

- All personnel involved in the ADR process (including complaint handlers and adjudicators)
- The Chief Executive
- All members of the management team of UtilitiesADR
- All members of the ISB
- Any contractor employed by UtilitiesADR

(“Applicable Persons”)

Purpose

All Applicable Persons will strive to avoid any conflict of interest between the interests of UtilitiesADR, complainants and traders on the one hand, and personal, professional and business interests on the other. This includes avoiding actual conflicts of interest as well as the perception of conflicts of interest.

The purposes of this policy is to protect the integrity, impartiality and independence of UtilitiesADR’s decision-making process and the ADR process, to enable our stakeholders to have confidence in our integrity, impartiality and independence and to protect the integrity and reputation of all those involved in UtilitiesADR.

What is a conflict of interest?

A conflict of interest will arise in the following circumstances:

1. An Applicable Person is related to or personally knows a complainant (ie: the consumer) or related to or personally knows a key decision maker from a trader – in relation to an ongoing complaint subject of the ADR process;
2. An Applicable Person worked for a trader within the last 12 months that is a member of the UtilitiesADR scheme;
3. An Applicable Person holds shares in any business in the aviation sector;
4. An Applicable Person has raised a grievance/complaint against a trader that is subject to our ADR process in the past 24 months;

5. An Applicable Person has submitted an application for employment to an trader, in the last 12 months, that is subject to the ADR process; or 6 Any other matter that would affect the independence or impartiality of UtilitiesADR.

The above is not an exhaustive list of circumstances that will give rise to a conflict of interest but instead illustrations.

Disclosure of Interests

Upon appointment and on an ongoing basis, all Applicable Persons will, without undue delay, make a full written disclosure of any circumstance that may, or may be seen to—

- (i) affect the ADR official's independence or impartiality; or
- (ii) give rise to a conflict of interest with a party to the dispute which the ADR official is asked to resolve.

Procedure following conflict of interest

In the event that an Applicable Person has a conflict of interest:

(a) where possible, the ADR official shall be replaced by another ADR official to handle the particular dispute;

(b) if the ADR official cannot be replaced by another ADR official—

(i) the ADR official shall refrain from conducting the alternative dispute resolution procedure, and

(ii) UtilitiesADR shall, where possible, propose to the parties that they submit the dispute to another ADR entity which is competent to deal with it;

(c) if the dispute cannot be transferred to another ADR entity, UtilitiesADR—

(i) will inform the parties to the dispute of the circumstances of the conflict of interest,

(ii) will inform the parties to the dispute that they have the right to object to the conflicted person continuing to handle the dispute, and

(iii) will only continue to deal with the dispute if no party to the dispute objects. This policy is meant to supplement good judgement and staff, volunteers and management committee members should respect its spirit as well as its wording.