

Institute of Professional Willwriters Alternative Dispute Resolution (IPWADR) Service

Policy for the appointment of an ADR Official

- 1) Complaints about members of the IPW shall only be considered by an ADR Official appointed by the IPW Council.
- 2) A person shall only be appointed as an ADR Official if they can demonstrate that they have experience of dealing with complaints either through experience or through education and training, such as;
 - a) Associate level of Chartered Institute of Arbitrators or;
 - b) City & Guilds or;
 - c) BTEC level 5 in Complaints Handling and;
 - d) Continued Professional development in topics and subjects relevant to ADR
- 3) An ADR Official shall be appointed for a maximum term of 3 years and the appointment can be renewed by a further 3 years term a maximum of once.
- 4) An ADR Official shall provide evidence to the IPW Council that they have completed a minimum of 4 hours of training in subjects related to Alternative Dispute Resolution yearly, on the anniversary of their appointment.
- 5) An ADR official shall not be removed by the IPW Council before the end of their term except in instances where sufficient training as outlined in point 4 has not been completed.
- 6) An ADR official shall be remunerated by a fixed sum (to be agreed from time to time by the IPW Council) irrespective of the number of disputes that they consider, or the outcome of those disputes.

Conduct of ADR Officials

- 7) An ADR official shall complete a training log and make it available for inspection by anyone who has reasonable cause to request it.
- 8) An ADR official shall discharge their duties in a way that is unbiased to both parties in the dispute and their representatives.
- 9) All disputes shall be considered by a single ADR official.

Conflicts of interest

- 10) All complaints shall be received by the IPW Compliance Manager. The Compliance Manager shall ensure that any complaint is not provided to an ADR Official who has disclosed that they have an interest or external relationship with the firm to which the complaint relates.
- 11) An ADR official shall complete a Declaration of Interest on appointment and shall review it annually thereafter.
- 12) The Compliance Manager shall maintain a log of declared conflicts of interest
- 13) If an ADR official becomes aware of any circumstance that may be seen to affect their independence they shall disclose the nature of such circumstance immediately that it is recognised, irrespective of where in the dispute resolution process it occurs. Such conflicts must be communicated in writing to another ADR official and a log of such conflicts of interest disclosures shall be held by the IPW.
- 14) Where an ADR Official becomes aware of a conflict of interest, they shall cease to act in that dispute and another ADR official shall be appointed to consider the dispute.

- 15) If it is not possible to appoint an ADR official to consider a dispute who does not have a conflict of interest then a proposal shall be put to both parties for the dispute to be heard by another ADR organisation competent to deal with it.
- 16) Where it is not possible to transfer a dispute to another ADR organisation, both parties shall be notified, along with details of the conflict of interest. Either or both parties can object to the involvement of the ADR official(s) and in that event the dispute cannot be considered by IPWADR Service.

Agreed and signed by:

Paul Sharpe
ADR Official

Date:

Agreed and signed by:

Rex Sevier
ADR Official

Date:

Agreed and signed by:

Jackie Morton
ADR Official

Date: