

**Water Sector ADR Panel  
Meeting 39  
Minutes of a Meeting on 2 April 2020 at Water UK, 36  
Broadway, London**

**Present:**

Susan Bradford	Daksha Piparia
Joe Brownless	Sir Tony Redmond
Claire Forbes	Sandra Webber (Chair)
<b>Apologies</b>	
Louise Beardmore	
<b>Attending</b>	
Kate Raybould	Shona Flood (Secretary)

		Action
<b>ITEM 1</b>	<b>Note and actions arising from meeting on 27 November 2019 and minutes of meeting on 16 January 2020</b>	
	<ol style="list-style-type: none"> <li>1. The notes of the meeting on the 27 November 2019 and the minutes of the meeting on 16 January 2020 were approved.</li> <li>2. The Panel was encouraged by the swift and constructive responses received from both Ofwat and Defra to the concerns raised in relation to the overall customer complaints process.</li> <li>3. It was noted that a joint letter from the Panel and RWD had been sent to the Customer PAG and to individual NHH retail companies regarding the introduction of the 8 week limit.</li> </ol>	
<b>ITEM 2</b>	<b>Update from Company Secretary</b>	
	4. The Panel heard from RWD's Company Secretary, Ms Raybould, who had succeeded Mr Strang in December. Ms Raybould provided an update for the Panel on the current activities being undertaken by the Board. Ms Raybould also confirmed that there had been 2 new appointments to the Board, Ms Nicola Nestor from Portsmouth Water and Ms Beverley Keogh from Thames Water.	
<b>ITEM 3</b>	<b>Standing items</b>	
	<ol style="list-style-type: none"> <li>5. <ol style="list-style-type: none"> <li>a. It was noted that although the service provider's monthly report was well presented there were a number of queries that the Panel would like addressed and the Secretary was asked to clarify these with CEDR. The Panel considered that a brief commentary with each slide would be helpful. In addition, the Panel would like data relating to website activity included in the monthly report.</li> <li>b. It was noted that there continued to be a considerable discrepancy between the value of compensation requested by</li> </ol> </li> </ol>	SF

	<p>customers and the value of compensation awarded. It was agreed that the annual report [for 2019/20] would focus on decisions where there was a significant divergence in the values claimed and awarded.</p> <p>c. Overall, the customer satisfaction scores for 2019 are not good however this may simply reflect a correlation with outcome. It was agreed that the Secretary would be asked to undertake a comparison exercise with other ADR schemes to assess whether outcome and satisfaction rates are closely aligned across other schemes. It was further agreed that the Panel would recommend to RWD that a target for increased satisfaction with the WATRS website should be included as a key performance indicator in the new contract.</p>	<p>SF</p> <p>SW/SF</p>
<b>ITEM 4</b>	<b>Tender programme update and Covid 19</b>	
	<p>6. The Panel received an update regarding the tender programme. It was noted that commercial negotiations with CEDR had taken place and that further proposals would be put to the Board for approval.</p> <p>7. The Panel noted that concerns had been expressed regarding additional costs in relation to the proposed draft decision stage. It also noted that a common source of dissatisfaction in the feedback in customer surveys was that adjudicators had missed or misinterpreted aspects of evidence. It was agreed that the Panel would recommend that the option of a draft or preliminary decision should be trialled.</p> <p>8. It was noted that in light of the Covid 19 it was likely that the current contract would be extended to allow companies and stakeholders more time to respond to the planned consultations.</p> <p>9. It was also noted that in response to the Covid 19 restrictions CEDR had closed its office and put in place arrangements to enable all staff to work remotely from home. To date the arrangements appeared to be working well although alternative arrangements may have to be made to enable post to continue to be collected.</p>	<p>SW/SF</p>
<b>ITEM 5</b>	<b>Update on website and 8 week deadline</b>	
	<p>10. The content of the RWD website has improved. It was noted that as from April anonymised decisions would appear on the WATRS website. Ms Bradford volunteered to undertake a high level review the content of WATRS website and to give feedback to the Panel.</p> <p>11. The 8 week referral deadline came into effect on 1 April 2020. It was noted that CCW had updated its FAQ section on its website to reference the time limit and that some companies' websites had also been updated. It was agreed that the Secretary would be asked to review all member companies' websites to ensure they had been updated and send reminders where appropriate.</p>	<p>SB</p> <p>SF</p>
<b>ITEM 6</b>	<b>End to End Review</b>	
	<p>12. Ms Webber provided a brief overview of the 3 decisions reviewed; in 2 of the 3 cases the sub-group considered that the customers had</p>	

	<p>provided valid feedback. In the remaining case it was considered that the adjudicator had done a very good job in respect of a complex matter. The sub-group considered that it would be helpful to all parties if CCW and the customer could in future provide a clear chronology and statement of the complaint. This would be a recommendation to be made to CCW. In addition, the reference to a 'defence' rather than a 'response' by companies was considered unhelpful for customers.</p> <p>13. The sub-group did not intend to publish a formal report but would provide specific feedback to RWD, CEDR and CCW. The Customer PAG would also be asked to confirm that CEOs and/or customer service directors have visibility of WATRS decisions.</p>	SF
<b>ITEM 7</b>	<b>Update on NHH trial</b>	
	<p>14. The NHH trial is currently taking place and the tripartite first stage should be completed by mid-April.</p>	
<b>ITEM 8</b>	<b>To agree format of annual report</b>	
	<p>15. It was agreed that Ms Webber and Ms Flood would prepare a draft annual report for review. The report would focus on 'mismatched cases' where there was a significant discrepancy between the value of the remedy sought and the award made. The report would also include an overview of the Panel's actions and activities</p>	SW/SF
<b>ITEM 9</b>	<b>To agree publication policy</b>	
	<p>16. It was agreed that the Panel would prepare and publish a publication policy in line with the requirements of the 2015 ADR Regulations.</p>	
<b>Item 10</b>	<b>AOB</b>	
	<p>17. Ms Piparia's re-appointment to the Panel was agreed. It was also noted that Ms Webber's appointment as Chair would be extended until the end of November to allow for the new contract to be in place and that in accordance with the Terms of Reference Ms Piparia would become the new Chair when Ms Webber stood down.</p>	
	<p><b>Next meetings:</b> <b>2pm 1 July 2020</b></p>	