

WATRS independent ADR Panel
Meeting 47
Minutes of a meeting on 6 December 2021 via MS Teams

Present:

Susan Bradford

Emma Clancy

Claire Forbes

Anton Gazzard

Daksha Piparia (Chair)

Claire Whyley

Apologies

Louise Beardmore

Attending

Shona Flood (Secretary)

Sally Ainsworth

		Action No.
Item 1	Minutes from meeting on 7 October 2021	
1.	The minutes of the meeting on 7 October 2021 were approved.	
Item 2	Action log	
2.	The Panel reviewed the interim report provided in relation to technical changes that had been made to the WATRS' website and CMS system following the Shaw Trust review. It was agreed that the Panel would like to review the wider report from the Shaw Trust as it relates to WATRS. It was agreed that CEDR would be asked to attend the next Panel meeting to give greater clarification as to scope, content and outcome of the review.	[43] SF
3.	It was agreed that CEDR would be asked to make the following amendment to the customer satisfaction survey question regarding reasonable adjustments: "We are committed to making the WATRS service accessible to all. Did you get the help you needed when you needed it?"	[44] SF
4.	CCW Fast track to WATRS - Whilst there was still a degree of concern regarding the position of vulnerable customers, it was noted that CCW had responded positively to a number of issues and concerns raised and that the process would be reviewed in May 2022.	
Item 3	Standing Items	
5.	The timetable for the production of the 2 nd Insights Report was noted. It was further noted that the Report would give a better understanding of the factors driving the number and type of applications to the Scheme and will allow some analysis of any trends and issues with the WATRS scheme	

6.	The split between actions required decisions (AR) and no actions required (NAR) was in line with the outturn for 2019/20 but currently slightly below the level in 2020/21. There were no significant events identified that may have had an effect on outcomes. It was also noted that there continued to be a significant disparity between the amount claimed by way of compensation and the amount awarded.	
7.	It was noted there continued to be negative comments regarding the usability of the CMS platform. It was agreed that CEDR would be asked to provide feedback regarding actions taken in relation to usability/accessibility as a result of the feedback. It was further agreed that the customer feedback would be segmented to show AR and NAR together with information as to whether the applications was directly completed by the customer or submitted via CCW.	[45] SF
		[46] SF
Item 4	Scheme Rules	
8.	The Panel considered the proposal to amend Rule 3.5 in relation to insurance claims. It was agreed on balance that the proposed amendment would be recommended to RWD.	[47] SF
9.	The Panel considered the current provisions relating to set aside set out in Rule 5.6 of the Scheme Rules. It was noted that since inception there had been 2 formal applications under Rule 5.6. It was considered that the timescale of 10 working days for a company to make an application to set aside was not unreasonable [given the objective of the Scheme to deal with disputes in a timely manner].	
10.	The Panel considered that the preliminary decision stage provided both parties with the opportunity to make representations. It was accepted that companies were not entitled to submit additional evidence in response to the preliminary decision, but it was considered that this was appropriate given the balance of power and resources between the parties. It was also further noted that the Scheme Rules require adjudicators to base final determinations on what is fair and reasonable, having regard to relevant information provided in accordance with the Scheme Rules by both the customer and the company, good industry practice, relevant industry codes of practice and the law. In light of all of the matters noted, the Panel recommended that no changes are made to Rule 5.6. The Secretary will notify RWD accordingly	[48] SF
11.	It was agreed that Ms Flood would circulate a copy of the current Scheme Rules to Panel members for information.	[49] SF
Item 5	AOB	
12.	It was agreed that Ms Flood would re-circulate the link to the shared Panel folder with the agenda for future meetings.	[50] SF

	Next meetings: 28/03/22: 10am 14/07/22:1:30pm 28/09/22: 10am 08/12/22: 1:30pm	
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