



# Alternative Dispute Resolution (ADR) Service Conflicts of Interest Policy

## 1. Purpose

The BVRLA is committed to providing an Alternative Dispute Resolution (ADR) service that is independent, impartial, fair and transparent.

This Policy explains how we identify, manage and prevent conflicts of interest to ensure that every dispute is handled fairly and without bias.

This policy supports the BVRLA's obligations to operate an ADR service that is independent, impartial and transparent in accordance with applicable ADR legislation and CTSI approval requirements.

## 2. Scope

This Policy applies to all Employees, temporary staff, contractors, consultants and any independent adjudicators or decision makers involved in the delivery of the BVRLA ADR service, including those responsible for handling, reviewing and determining disputes.

All Employees are required to comply with this Policy and to declare any actual, potential or perceived conflicts of interest that may arise during the course of their work.

## 3. Our Commitment

We will:

- Act independently and impartially in every dispute.
- Treat consumers and businesses fairly and equally.
- Make decisions based solely on the evidence provided and the applicable rules.
- Ensure no individual involved in determining a dispute has a conflict of interest.
- Maintain appropriate organisational arrangements to safeguard the independence of ADR decision making.

## 4. What is a Conflict of Interest?

A conflict of interest arises where a person involved in handling or deciding a dispute has, or could reasonably be perceived to have, a personal, professional or financial interest that may affect their impartiality.



Examples include:

- Having previously worked for or advised one of the parties.
- Having a close personal relationship with someone involved in the dispute.
- Having a financial interest in one of the parties.
- Having previously been involved in the matter being considered.
- Any other circumstance that could reasonably call the person's independence into question.
- Involvement in a previous Code inspection of the member.
- Involvement in a compliance investigation concerning the dispute.
- Serving on a committee directly connected with one of the parties.
- Previous advice given on the specific complaint.

## 5. Identifying Conflicts

Before allocation of every case, individuals must consider whether any actual, potential or perceived conflict exists and confirm this where required.

If a conflict is identified, it must be declared immediately.

All individuals involved in the BVRLA ADR service must complete an annual declaration confirming any actual, potential or perceived conflicts of interest, or confirming that none exist. Individuals must also notify the BVRLA immediately if their circumstances change and a conflict arises during the year. Records of declarations and any conflicts identified will be retained in accordance with the BVRLA's record retention procedures.

## 6. Managing Conflicts

Where a conflict of interest exists:

- The individual will take no further part in the case.
- Another suitably qualified and independent individual will be appointed.
- The conflict and the action taken will be recorded.
- Where appropriate, the parties may be informed of the conflict and how it has been managed.
- The ADR Manager (or nominated senior manager) will determine the appropriate action where a conflict has been declared.

## 7. Independence of Decisions

ADR decisions are made independently of the BVRLA's membership, commercial, lobbying, inspection and policy functions..

No BVRLA Employee, member, board member or external organisation may influence the outcome of an ADR decision.

Individuals making ADR decisions are required to exercise independent judgement and are not subject to instructions from either party regarding the outcome of a case.



## 8. Gifts and Hospitality

Individuals involved in ADR decision making must not solicit or accept gifts, hospitality or any other benefit from parties to a dispute where doing so could influence, or appear to influence, their impartiality.

## 9. Training

All ADR personnel will receive appropriate training on conflicts of interest, independence and impartiality. Refresher training will be provided periodically.

## 10. Ongoing Monitoring

Conflicts of interest may arise at any stage of the ADR process.

Anyone involved in a case must promptly declare any new conflict that becomes apparent during the handling of the dispute.

New conflicts identified after a decision has been issued will be investigated and appropriate remedial action considered.

## 11. Complaints

If a consumer or business believes that a conflict of interest has affected the handling of their case, they may raise this through the BVRLA ADR complaints procedure.

Complaints will be investigated independently and appropriate action taken where necessary.

## 12. Review

This Policy will be reviewed at least annually and following any significant legislative, regulatory or CTSI requirement affecting the ADR service.

