

Alternative Dispute Resolution (ADR) Procedure

1. The customer can contact us initially by phone, email or post. They should do so as soon as possible after first noticing the problem.

1. Introduction

- **Purpose:** Clearly state the purpose of the ADR procedure, emphasizing its role in resolving disputes efficiently and cost-effectively.
- **Scope:** Define the types of disputes covered by the ADR procedure.

2. Initiating the ADR Process

- **Voluntary Participation:** Specify that participation in the ADR process is voluntary, and all parties must agree to engage in ADR.
- **Notice:** Establish a mechanism for initiating the ADR process, such as written notice from one party to another.

3. Selection of ADR Method

- **Mediation, Arbitration, or Other:** Define the available ADR methods (e.g., mediation, arbitration) and the criteria for selecting the appropriate method for a particular dispute.
- **Neutral Third Party:** Specify the qualifications and selection process for neutral third parties (mediators, arbitrators).

4. ADR Process Timeline

- **Timeliness:** Set a timeline for each stage of the ADR process to ensure a prompt resolution.
- **Extensions:** Outline the conditions under which the timeline can be extended.

5. Confidentiality

- **Confidentiality Agreement:** Require all parties and the neutral third party to sign a confidentiality agreement to protect sensitive information disclosed during the ADR process.

6. ADR Sessions

- **Opening Statements:** Allow each party to make an opening statement to outline their perspective on the dispute.
- **Information Exchange:** Establish a process for the exchange of relevant documents and information.

- **Negotiation/Mediation/Arbitration:** Detail the specific procedures for negotiation, mediation, or arbitration sessions.

7. Settlement Agreement

- **Drafting a Settlement Agreement:** If a resolution is reached, outline the process for drafting and executing a settlement agreement.
- **Enforceability:** Clarify the legal enforceability of the settlement agreement.

8. Costs

- **Allocation of Costs:** Define how the costs associated with the ADR process, including fees for the neutral third party, will be allocated among the parties.

9. Termination of ADR Process

- **Unsuccessful ADR:** Specify the circumstances under which the ADR process is deemed unsuccessful, allowing parties to pursue alternative legal remedies.

10. Compliance

- **Binding Nature:** Clarify whether the resolution reached through ADR is binding on the parties and can be enforced in court.

11. Review and Amendments

- **Periodic Review:** Establish a process for periodically reviewing and, if necessary, amending the ADR procedure.

12. Governing Law

- **Applicable Law:** Specify the governing law that will apply to the ADR procedure.

13. Contact Information

- **Communication:** Provide contact information for all relevant parties and the neutral third party.

Notes:

- Consult with legal professionals to ensure compliance with local laws.
- Customize the procedure to fit the specific needs of your organization or jurisdiction.
- Make sure all parties involved fully understand and agree to the ADR procedure.

