NAJ Resolve

Complaint Handling and ADR Policy

Version: 1.0
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Owner: Compliance and Policy Manager, NAJ

1. Introduction

NAJ Resolve is the Alternative Dispute Resolution (ADR) service provided by the National Association of Jewellers (NAJ), designed to help resolve consumer-to-business disputes involving NAJ member businesses. This policy outlines how complaints are handled fairly, transparently, and in accordance with regulatory standards.

2. Scope

This policy applies to all complaints submitted by consumers regarding NAJ member businesses. It covers domestic and cross-border disputes within the financial threshold of £100 to £10,000.

3. Independence and Fairness

NAJ Resolve operates independently and impartially from the member businesses involved in the dispute. ADR officials are not subject to any influence, instruction, or pressure from NAJ members or parties to the dispute. All ADR officials must disclose any actual or potential conflicts of interest before accepting a case. Disclosures are recorded in the Conflict of Interest Log and managed in line with NAJ's Conflict of Interest Policy.

4. Eligibility Criteria

A complaint may be accepted if:
- The trader is a current NAJ member.
- The consumer has first attempted to resolve the issue directly with the trader.
- The complaint is submitted within 12 months of the last contact with the trader.
- The dispute is not frivolous, vexatious, or already under review by another ADR body or court
- The complaint includes sufficient detail and documentation.

5. Submission Process

Complaints can be submitted:
- Online via the NAJ Resolve portal
- By post
- By phone

A £15 fixed fee applies. If the complaint is upheld, this fee is reimbursed.

6. Complaint Handling Procedure

The NAJ is a division of the British Allied Trades Federation (BATF) which is a company limited by guarantee and registered in England & Wales number 69391

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Step 1: Receipt and Eligibility Check
- Complaint received and assessed for eligibility.
- If ineligible, guidance is provided (e.g., Citizens Advice, Trading Standards).
-Conflict of interest check is conducted at this stage. If a conflict is identified, it is recorded in the Conflict of Interest Log and if necessary the case is referred to CEDR.

Step 2: Case File Creation
- Evidence is gathered from both parties.
- A complete complaint file is compiled.

Step 3: Notification
- Both parties are notified once the complete file is received.

Step 4: Evidence Submission
- Each party has 14 days to submit supporting documents.
- Then, 14 days to comment on the other party's evidence.

Step 5: Mediation
- NAJ Resolve facilitates conciliation or mediation.
- A proposed solution is discussed.

Step 6: Outcome
- Parties are given reasonable time to consent.
- A final outcome letter is issued, explaining the decision and reasoning.
- The outcome letter is provided in a durable medium and includes a summary of the complaint, the evidence considered, the reasoning, and the final outcome.
- The outcome is not legally binding unless both parties agree, in which case it becomes a contractual agreement.

Step 7: Escalation
- If a conflict of interest arises or the case cannot be handled, it may be referred to CEDR.
If a conflict of interest arises, the ADR official will disclose it immediately, record it in the Conflict of Interest Log, and refer the case to CEDR where appropriate

7. Right to Withdraw

A party may withdraw from the ADR process at any stage prior to outcome issuance. NAJ Resolve also reserves the right to discontinue a case where a party refuses to engage meaningfully.

8. Impartiality and Conflict of Interest

The ADR official operates independently and is required to declare any actual or perceived conflicts of interest. These are logged and reviewed annually. If a conflict is declared, the case will be referred to CEDR or handled only with both parties' consent.

9. Accessibility
Reasonable adjustments are made for users with specific needs. Communication is primarily by email, but post and phone are available. All proceedings are conducted in English.

10. Legal and Data Protection
Engagement with NAJ Resolve is voluntary. Consumers retain the right to pursue legal action at any point before, during, or after ADR. Personal data is handled in accordance with UK GDPR.

11. Timeframes
Average resolution time: 30 days from receipt of complete complaint file. Inactivity (no response within 14 days) may result in case closure.

12. Expert Reports
In cases where items of jewellery or watches must undergo examination and assessment by an independent expert to determine where a fault lies, the NAJ can facilitate such a report. The cost of this report is £120 which will be shared equally between the consumer and the trader, with each party contributing £60. If the ADR decision is in favour of the consumer, their £60 contribution will be refunded. This arrangement will be confirmed with both parties before the report is commissioned
Should the item require further testing, such as in a laboratory, additional costs will be incurred, which would be communicated prior to any commencement.

The NAJ will also accept the findings of members of the Academy of Experts or other appropriate expert witness associations or verified independent experts. The opinion of another jewellery business will not be classed as independent due to the conflict of interest.

13. Record Keeping
NAJ Resolve retains case files and outcome statements for a minimum of three years, in accordance with CTSI requirements. All case data is stored securely and may be reviewed by the regulator if required.

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