The National Association of Jewellers

NAJ Resolve Scheme Rules

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Owner: Compliance and Policy Manager, NAJ

Introduction

NAJ Resolve is the Alternative Dispute Resolution (ADR) scheme operated by the National Association of Jewellers (NAJ), designed to support fair and professional resolution of disputes between consumers and NAJ member businesses. The scheme is underpinned by the values and commitments set out in the NAJ Code of Conduct and Customer Charter.

When resolving disputes, we apply the following principles:

- Honesty, Integrity, and Professionalism: We act in accordance with the NAJ Code of Conduct, ensuring that all parties are treated fairly, transparently, and with respect.
- Consumer Protection Legislation: All decisions are guided by relevant UK consumer protection laws, including the Consumer Rights Act 2015 and other applicable statutory instruments.
- Evidence-Based Decision Making: Outcomes are based on the documentation and evidence provided by both parties, including receipts, correspondence, expert reports, and photographs.
- Equity and Reasonableness: Where legislation does not provide a clear resolution, decisions are made based on what is fair and reasonable under the circumstances.
- Accessibility and Transparency: The process is designed to be clear, user-friendly, and accessible to all parties, including vulnerable consumers.
- Commitment to Resolution: We aim to resolve complaints in a timely and fair manner, and where necessary, refer cases to the Centre for Effective Dispute Resolution (CEDR)* to ensure impartiality and effectiveness.

Scheme Overview

- We operate a written-only ADR procedure using mediation to help parties reach a mutually acceptable outcome.
- We handle consumer-to-business disputes involving NAJ member businesses.
- We handle domestic (UK-based) disputes, and we are also able to accept cross-border disputes where required.
- We receive complaints through the NAJ Resolve portal: NAJ Resolve
- We have one ADR Official, employed on a permanent basis. This is the Compliance Manager, a full-time employee of the British Allied Trades Federation (BATF) appointed after a rigorous interview process to ensure competency and impartiality.
- NAJ Resolve deals with disputes in the jewellery sector with a financial threshold starting at £100 and up to a limit of £10,000.
- The ADR process is explained on our website: Complaints against NAJ members and the NAJ itself

- We use mediation to help parties reach a mutually acceptable outcome.

When We May Refuse to Handle a Dispute

- The business is not a current member of the National Association of Jewellers.
- The consumer has not first attempted to resolve the complaint directly with the trader.
- The dispute is frivolous or vexatious.
- The dispute is currently being, or has already been, considered by another ADR scheme or court.
- The value of the claim is outside our financial thresholds.
- The complaint is submitted more than 12 months after the consumer's last contact with the trader regarding the issue.
- Dealing with the dispute would seriously impair the effective operation of our ADR service.

Additional Key Information

- We only accept and conduct the ADR process in English.
- We will consider all relevant law, regulation, codes of practice, and industry standards when helping to resolve disputes.
- NAJ Resolve does not award compensation or impose legally binding decisions.
- Either party may withdraw from the ADR process at any time. However, NAJ members are expected to cooperate fully as a condition of membership. Unjustified withdrawal may result in disciplinary action.
- The outcome decision will be issued within 90 days of the complete case file, except in complex cases when the time frame may be extended and parties notified.
- On average, the resolution process takes 30 days from receipt of a complete complaint file.
- Any potential conflicts of interest are recorded in a dedicated log and managed in accordance with our internal policy to ensure impartiality throughout the ADR process.
- We are committed to making our service accessible and will make reasonable adjustments to support users with specific needs.
- All personal data is handled in accordance with UK GDPR and our privacy policy.

Costs associated with NAJ Resolve ADR

- Mediation Fee: A £15 fee is charged to consumers for mediation. This fee must be paid in full before the complaint can be processed.If the consumer is successful in their claim, the £15 fee will be reimbursed by the company involved in the dispute.
- Expert Reports: Where necessary, an independent expert report can be arranged to assess items such as jewellery or watches. This is typically required when there is a dispute over the nature, cause, or extent of damage to an item. In such cases, an independent expert report provides the material evidence needed for us to make a fair and informed decision.

To ensure accessibility and fairness, the cost of the report (£120) will be shared equally between the consumer and the trader, with each party contributing £60.

- Any costs incurred by a consumer will be reimbursed by the member in the event the report lands in the consumer's favour.
- Additional Testing: If further testing (e.g., laboratory analysis) is required, additional costs will be incurred, but these will be clearly communicated and agreed upon before proceeding.

Process

1. Neither party are required to seek legal advice or be represented to use the ADR process, but choose to do so if they wish.
2. Once we receive a complete complaint file from both the consumer and the trader, we will notify both parties.
3. Each party has 14 days to submit supporting documents and evidence.
4. Both parties then have a further 14 days to comment on each other's evidence.
5. Under special circumstances, timeframes for providing evidence and comment can be extended upon request.
6. If we do not hear from the consumer within 14 days of a request for information or confirmation, we may close the case due to inactivity.
7. A solution will be discussed, and parties will be given reasonable time to consent to the proposed outcome.
8. Both parties will receive a final outcome letter explaining the decision and the reasoning behind it.
9. The outcome of the NAJ Resolve process is not legally binding unless both parties explicitly agree to it. If both parties do agree, the outcome becomes a contractual agreement enforceable under civil law.
10. Using ADR does not prevent either party from seeking redress through the courts.
11. The outcome reached through ADR may differ from one reached by a court.
12. While NAJ Resolve does not impose penalties for non-compliance, serious or repeated breaches of the Code of Conduct, such as failing to engage in good faith or honour an agreed resolution, may lead to disciplinary action.

Postal Process and Accessibility

We will communicate with you in writing, preferably by email. However, we also accept complaints by post, and in exceptional circumstances, we can take complaint details over the phone to support accessibility needs.
Consumers may request complaint forms via post, email, or telephone. We will send forms by post upon request and accept completed complaints in the same way, ensuring accessibility for those who prefer or require non-digital communication.
Requests can be made by:

- Email: compliance@naj.co.uk
- Phone: 0121 237 1111

- Post: NAJ, Federation House, 10 Vyse Street, Hockley, Birmingham, B18 6LT

***Relationship Between NAJ Resolve and CEDR**

The NAJ contracts the Centre for Effective Dispute Resolution (CEDR), an independent ADR body to conduct conciliation of unresolved disputes. While NAJ Resolve handles the majority of disputes internally, we may refer certain cases to CEDR on a discretionary, case-by-case basis.

Reasons for referral to CEDR may include:

- The dispute involves international parties or cross-border complexities.
- The value of the dispute exceeds £10,000, beyond NAJ Resolve's financial threshold.
- The dispute is highly complex or time-consuming, and handling it internally would impair the effective functioning of NAJ Resolve.
- The case requires specialist expertise not available within NAJ Resolve.
- There are concerns about impartiality or potential conflicts of interest.
- The dispute has reached an impasse, and external conciliation may help facilitate resolution.

CEDR provides conciliation services, not adjudication. There is no additional cost to the consumer or member beyond the initial administration fee paid at the start of the NAJ Resolve process. More information about their process is accessible at: https://www.cedr.com/consumer/jewellers/overview/.