NAJ Resolve Scheme Rules under the Digital Markets, Competition and Consumers (DMCC) Act 2024

Procedures and policies for Alternative Dispute Resolution (ADR)

1. Introduction

NAJ Resolve is accredited by CTSI under delegated powers from the Secretary of State for Business and Trade, under the Digital Markets, Competition and Consumers Act 2024.

NAJ Resolve provides Alternative Dispute Resolution (ADR) for complaints brought by a consumer against a trader, who is a member of The National Association of Jewellers (NAJ). To find out if a trader you have a complaint about is a member, please click here; Find a Jeweller.
Outcomes are not binding unless both parties agree to accept them.
NAJ Resolve is subject to a nominal administration fee (see Section 9).
NAJ Resolve's annual report can be viewed here (first reporting due January 2027).

2. Scope of Service

NAJ Resolve handles consumer-to-business disputes within the jewellery sector involving NAJ members.

Types of disputes including but not limited to:

- Faulty goods (e.g. quality dispute, manufacturing defects)
- Repairs and workmanship issues
- Misdescription (e.g. gemstone, metal, or product quality)
- Service issues (e.g. delays, poor service, poor valuation)

Financial Limits:

- Minimum claim value: £100
- Maximum claim value: £10,000

NAJ Resolve may consider UK domestic and, where appropriate, cross-border disputes.

3. Type of ADR and Outcomes

NAJ Resolve operates a mediation-based ADR process.

Possible outcomes include:

- Repair of the item
- Replacement

10 Vyse Street
Birmingham B18 6LT
0121 237 1110
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- Full or partial refund
- Contribution towards repair or replacement
- Goodwill offers
- No fault found
- No agreement reached

Outcomes are **not binding** unless both parties agree to accept them.

4. Contact Details

- Email: compliance@naj.co.uk
- Telephone: 0121 237 1111
- Post: NAJ, Federation House, 10 Vyse Street, Hockley, Birmingham, B18 6LT
- Online submission: NAJ Resolve complaint form; NAJ Resolve - Registration Form

5. General Information

- The ADR process is conducted in English.
- The process is primarily conducted in writing (email/post), with telephone support available.
- Parties may be represented or assisted by another person. The representative or assistant does not need to be legally qualified.
- The complainant may withdraw at any time.
- Participation in ADR does not prevent court action.
- Outcomes may differ from court decisions.

NAJ Resolve takes into account:

- Relevant law (including the Consumer Rights Act 2015)
- Industry standards
- The NAJ Code of Conduct
- What is fair and reasonable in the circumstances

Average timeframe: 30–60 days, with a maximum of 90 days from receipt of a complete case file.

6. Referring a Complaint

Before referring a complaint:

- The consumer must attempt to resolve the issue with the trader.
- The complaint must be submitted within 12 months of the trader's final response.
- The trader must be an NAJ member.

Complaints can be submitted online, by email, or by post.

7. Grounds for Refusal

NAJ Resolve may refuse to handle a dispute where:

- The trader is not an NAJ member
- The consumer has not attempted to contact the trader first
- The complaint is frivolous or vexatious
- The dispute is already being considered by a court or another ADR body
- The claim falls outside the financial thresholds
- The complaint is submitted out of time
- Handling the dispute would impair the effective operation of the service

If a case is refused, both parties will be notified promptly with reasons and, where possible, signposted to alternative options.

8. ADR Procedure

- Once NAJ Resolve has received the complaint from the complainant, we will review it to ensure it is something we can handle. If it is not possible for us to handle your complaint, we will let you know as soon as possible and, where possible, you will be signposted to other organisation(s) who may be able to help.
- If the complaint can be handled, NAJ Resolve will acknowledge this to both parties and provide details on the ADR procedure, including expected timeframes.
- If there is a conflict of interest, NAJ Resolve's policy on this will be followed (see below).
- All relevant information will be collated by NAJ Resolve from both parties, who will have a reasonable amount of time to express their points of view.
- The information required can be submitted either online or by post and may include, but is not limited to: Receipts, reports, communication history, photographs.
- Once all required information is received from the complainant, this will be provided to the business for comment. The business will have 10 working days to respond.
- Once the information has been provided by the business, this evidence will be sent to the complainant for final comment. The complainant will have 10 working days to respond.
- Once NAJ Resolve has all the required information for the ADR process to begin, this will be considered the 'complete case file' and both parties will be notified in writing at this point.
- Once NAJ Resolve is in receipt of the complete case file, the outcome will be notified to both parties in writing within 90 days.
- NAJ Resolve will keep parties to the dispute informed by email about the conduct and progress of any ADR being carried out.
- The complainant can withdraw their complaint from this ADR procedure at any time.
- Once the ADR procedure has concluded and a decision reached, both parties will be provided with this in writing and we will explain how the outcome has been reached.
- At this point we will also remind parties of the following:
    a. The complainant has the choice as to whether or not to agree to or follow the proposed solution.
    b. Participation in the procedure does not prevent the possibility of seeking redress through court proceedings.

c. The proposed solution may be different from an outcome determined by a court applying legal rules.
d. The complainant can accept or reject the ADR decision.

- The complainant will be given 14 days to accept or reject the decision reached.

9. Costs

9.1 Administration Fee

NAJ Resolve aims to keep ADR accessible and low cost to consumers. A £15 administration fee is payable by the consumer.

This fee is:

- Nominal
- Not intended to prevent access to ADR
- Refunded by the trader if the complaint is upheld

9.2 Expert Reports

Where required, an independent expert report may be obtained.

- Typical cost: £120
- Costs are usually shared equally between both parties
- Any costs to the consumer will be explained in advance
- Where the report supports the consumer, the report cost will be reimbursed to the consumer by the member

9.3 Cost Recovery

NAJ Resolve does not award legal costs, professional fees, or compensation for time spent pursuing a complaint. However, where a complaint is upheld, the trader will be expected to reimburse the consumer's £15 administration fee and any agreed contribution towards an expert report.

10. Independence and Conflicts of Interest

NAJ Resolve operates independently and impartially.

- ADR officials are employed separately from member businesses
- A Conflict of Interest Policy is in place
- Conflicts are identified before case allocation
- Any actual or perceived conflicts are recorded and managed
- Cases are reassigned where conflicts cannot be managed

11. Accessibility

NAJ Resolve is committed to accessibility:

- Complaints can be submitted online or by post
- Telephone support is available
- Reasonable adjustments are provided where required

12. Special ADR Arrangements (CEDR)

In limited circumstances, NAJ Resolve may determine that a dispute would be more appropriately handled by the Centre for Effective Dispute Resolution (CEDR). This may include:

- Complex or high-value disputes;
- Cross-border disputes;
- Cases involving a conflict of interest;
- Cases requiring additional independence or specialist expertise.

For further information about CEDR, please visit: CEDR

Referral to CEDR is at the discretion of NAJ Resolve and is not an appeal process. Consumers do not have an automatic right to have their dispute referred to CEDR.

Where a dispute is referred, CEDR will provide an independent **conciliation** service. Conciliation is a voluntary process in which a conciliator assists the parties in reaching a mutually agreed resolution.

Types of disputes; CEDR may consider the same categories of dispute as those set out in Section 2 of these Scheme Rules, where NAJ Resolve considers referral to CEDR appropriate.

Possible outcomes; The potential outcomes available through CEDR conciliation are consistent with those set out in Section 2 of these Scheme Rules and may include any mutually agreed resolution reached by the parties.

Where NAJ Resolve considers referral appropriate, both parties will be informed in writing. If referred, CEDR will assume responsibility for conducting the conciliation process in accordance with its own procedures and timescales and will communicate directly with the parties regarding the progress of the matter and any information required.

CEDR operates independently and in accordance with recognised ADR standards and applicable accreditation requirements.

CEDR may decline to accept a referral where the dispute falls outside the scope of its service or is otherwise considered unsuitable for conciliation.

Timeframes will vary depending on the nature and complexity of the dispute. Parties will be informed of the relevant timescales if a referral is accepted.

Any settlement reached through conciliation is only binding if both parties agree to it. If no agreement is reached, the parties remain free to pursue other remedies.

Consumers will not incur any additional costs beyond those set out in Section 9.

13. Legal Effect of Outcomes

- Outcomes are not legally binding unless both parties agree
- If accepted, the outcome becomes contractually binding
- Consumers are not required to accept the outcome
- ADR does not prevent court action

14. Withdrawal

Either party may withdraw from the ADR process at any time.

NAJ members are expected to participate in good faith. Withdrawal may result in disciplinary action under NAJ membership rules.

Link to NAJ Resolve Complaint Registration Form; NAJ Resolve

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