

HRO Dispute Resolution Service

Conflict of Interest Policy and Procedure

Conflict of Interest Policy

Home Renewables Ombudsman

1. Home Renewables Ombudsman (HRO) is a CTSI approved Alternative Dispute Resolution (ADR) provider. HRO's provides dispute resolution services to accredited HRO Accredited Businesses to help resolve Complaints with consumers. As part of the approval criteria under the ADR Regulations 2015 Schedule 3 (Regulations), the ADR provider must have a Conflict of Interest Policy in place. This Policy must set out a process to ensure that Case Handlers and Adjudicators must disclose without undue delay any circumstance that may affect their independence and impartiality or give rise to a conflict of interest with any party in a Complaint assigned to them.
2. In HRO's line of work, an actual or potential conflict of interest may arise at any point during the dispute resolution service, which could affect the Case Handler or Adjudicators' ability to effectively resolve a Complaint. In order to comply with the requirements, this policy puts in place a process to identify, disclose and manage conflicts of interest and thereby fulfils the HRO obligations set out in the Regulations.

Conflict of interest

3. All Case Handlers and Adjudicators are expected to uphold professionalism, independence and impartiality when processing a Complaint at all times. A Case Handler or Adjudicator must not use his or her official position to further private interests, or the interests of others.
4. A conflict of interest may arise when the conduct of a Case Handler or Adjudicator and the information relating to the handling a Complaint is considered to affect their ability to act independently and impartially. In such instances, the situation might reasonably be seen to compromise the Case Handler or Adjudicator's personal judgement or integrity. For example:
 - The Case Handler or Adjudicator has a past or present personal relationship with the consumer as a friend or relative, or is connected to the consumer in any other way;
 - the Case Handler or Adjudicator has a past or present business relationship with the consumer;
 - the Case Handler or Adjudicator has a past or present personal relationship with an individual in the HRO Accredited Business;
 - the Case Handler or Adjudicator is a stakeholder in the HRO Accredited Business or is connected to the business in any other way;
 - the Case Handler or Adjudicator misuses or discloses information

- inappropriately; or
- the Case Handler or Adjudicator has a direct or indirect interest in the outcome of the dispute resolution process.

Managing conflict of interest

5. The Chief Ombudsman is responsible for overseeing the arrangements for disclosure and management of conflicts of interest from the point of registration until the end of the dispute resolution service.
6. A system is in place for monitoring all Complaints registered by consumers. This allows the team to routinely assess any circumstances surrounding a Complaint which may directly or inadvertently affect a Case Handler or Adjudicator.
7. All Case Handlers and Adjudicator are required to declare any business or personal interests which may affect their duties on a regular basis. Case Handlers and Adjudicators have a continuing obligation to disclose conflict when processing Complaints and handling Complaints through the Early Resolution process. The process for declaring an actual or potential conflict of interest is set out below.

Conflict of Interest Procedure

When handling a Complaint, Case Handlers and Adjudicators should take appropriate measures to avoid actual or potential conflicts of interest, including the perception of such conflicts, by considering whether an allegation of impropriety could be made about them.

Identifying conflict of interest

1. Case Handlers and Adjudicators must undertake an assessment to identify whether there may be circumstances which may lead to an actual or potential conflict of interest when handling a Complaint at all stages.
- *Stage 1: registering a new Complaint*
The Case Handler must carry out a conflict-of-interest assessment when registering a Complaint. This must take place prior to sending the Complainant the Complaint acknowledgement email and the HRO Accredited Business the notification email. The assessment involves a review of a Consumer's personal details (and the Complainant's details if different) to ascertain whether it falls into any of the categories listed in Section 4 of the Conflict-of-Interest Policy above.
 - *Stage 2: before and during Early Resolution*
When considering a Complaint during Early Resolution, the Case Handler must carry out a second conflict-of-interest assessment before starting the Early Resolution process and throughout, using all available information about the Complaint.

- *Stage 3: before and during Adjudication*

An Adjudicator must carry out a conflict-of-interest assessment before starting the Adjudication process and throughout using all available information about the Complaint.

Declaring conflict of interest

2. In cases where the Case Handler or Adjudicator identifies a conflict of interest, they must inform the Chief Ombudsman by email immediately on becoming aware of an actual or potential conflict of interest, or if they have any doubts about a situation at any stage when handling or making a decision on a Complaint.
3. In addition to sending an email to the Chief Ombudsman, the Case Handler or the Adjudicator must also complete a 'Log of Disclosure' declaration form.
4. Following disclosure of a conflict of interest, the Case Handler or Adjudicator may be required to refrain from engagement in all or relevant activities related to the handling or making a decision on the Complaint which could be affected by the conflict of interest.

Managing conflict of interest

5. In order to address an actual or a potential conflict of interest, the Chief Ombudsman will need to take proportionate and appropriate actions including consideration of whether the conflict is obvious or remote. These may include:
 - not allocating the Complaint to the affected Case Handler or Adjudicator; or
 - reallocating the Complaint to a new Case Handler or Adjudicator.

The affected Case Handler or Adjudicator must not engage in activity related to the Complaint or share any information on the Complaint file with the consumer, HRO Accredited Business and REAL employees.

6. The Chief Ombudsman will keep the Case Handler or Adjudicator informed about key decisions relating to the processing of a conflict of interest.

Data protection

7. The information provided will be processed in accordance with REAL and HRO's Privacy Policy Statement. We comply with the requirements of the General Data Protection Regulation and the Data Protection Act 2018. Further details about this can be found on our website using this link: <https://www.hro.org.uk/privacy>.