

ROLE DESCRIPTION

DISPUTES COMMITTEE MEMBER

The Disputes Committee

The Disputes Committee (“the Committee”) was established in accordance with Schedule 9 of the Market Arrangements Code (MAC) and is a Committee of the Strategic Panel. The role of the Committee is to determine the outcomes of Trading, Non-Trading, Market Operator (MO) and Market Arrangements Code (MAC) Disputes. It may also recommend changes to the market codes which support procedures to resolve Disputes. The Committee will base its decisions on Disputes on the issues raised, the information provided and the relevant provisions of the Code.

The Committee was established with 10 voting members (five Wholesalers and five Retailers) with relevant water and sewerage industry experience, as set out in Section 1.3 (Schedule 9) of the MAC and an Independent Chair, who is a non-voting member.

The Role

Disputes Committee members should be experienced in dispute resolution at a senior level and able to consider complex Disputes against defined parameters. Members will be expected to consider Disputes in an independent manner and provide guidance to parties on future expected action.

Committee members should carry a breadth of market knowledge with relevant experience of the non-household water retail market to make an active contribution to improve outcomes for existing and future members of the market. They are required to bring their market expertise and experience to bear as part of the collective responsibility rather than to represent any specific constituency or company interests.

Disputes Committee members are full, voting members of the Committee. They must act impartially at all times and are responsible for: -

- Exercising their own, independent, expert judgement to assess disputes and to provide input as to how these should be resolved.
- Following due process, thereby enabling the Strategic Panel, Market Participants and Ofwat to place reliance on the work of the Disputes Committee.
- Acting as ambassadors for the Disputes Committee and inspiring stakeholder confidence.
- Supporting the Disputes Committee Chair, Secretary and other members by providing expert advice, support and feedback – including on a one to one and/or confidential basis as appropriate.
- Participating in any Disputes Committee induction, training and evaluation identified.

Person Specification

Qualities and Experience

Disputes Committee members must have a desire to positively influence the business retail water market to deliver in the best interests of existing and future members.

They should carry the gravitas and credibility to command the confidence of market participants, with

To promote, challenge and lead the operation and evolution
of the market for the benefit of business water customers

knowledge of the non-household water retail market and its market codes (including an understanding of the wider legal and regulatory framework in which the market codes sit).

Disputes Committee Members should:

- act impartially and objectively, in the best interests of existing and future non-household customers
- bring a diverse, forward thinking and challenging perspective to Disputes Committee deliberations and decision-making
- encourage and facilitate constructive challenge and engagement from all stakeholders
- help the Disputes Committee to operate efficiently and reach objective, evidence-based decisions.

They should be:

- excellent communicators
- able to assimilate complex issues and information to analyse, question and challenge constructively
- able to motivate and engender respect by setting the right example, calling out poor behaviours if necessary
- able to facilitate productive and inclusive discussion
- collaborative by instinct.

They should have:

- excellent decision-making skills with a proven ability to exercise sound, impartial judgement, leaving vested interests at the door
- keen influencing skills with the ability to reconcile diverse demands of conflicting interests
- an open and collaborative style with the ability to win the confidence of multiple, diverse stakeholders in the market
- experience of the non-household business water market ideally experience of working with a customer forum / representative

Commitment and Remuneration

- 2 meetings per year plus occasional ad-hoc hearings via MS Teams or in person in Southampton.
- Fixed term which shall expire no more than 1 year from appointment with the possibility of re-appointment at the end of this term.
- Trading Party members are not be remunerated.
- Reasonable travel expenses will be paid.

Appointment

Disputes Committee members are appointed by the Strategic Panel based on recommendations made by the Chair of the Disputes Committee.