

Benchmark / criteria reference	Feedback on benchmark criteria	Feedback on achievement standard
1.1		Options (d) and (e) seem onerous, involving relatively high costs for low expected benefit. Contrast the advertising requirements for low user tariffs.
1.3		We question whether it is cost-effective to have promotional material produced in different languages.
1.6	This benchmark is vague.	This standard is vague and impractical.
1.7	Nation-wide access should not be a criterion as small schemes will be created to provide enhanced service within an area.	0800 phone number and Freepost are not essential for small schemes. In the expected low demand situation initial contact is available by redirection from the scheme member following failure of internal resolution process.
1.12		Standards need to be relevant to the demand. The scheme adjudicators are the key factor. Training for member staff is also important.
1.13		As per 1.12 above.
2.3		It is not necessary to have scheme member on the panel, but feedback to the selectors on proposed choice should be permitted with final decision from the selectors. (In KCE case this will be trustees of KCECT.)
2.5		The scale of regional schemes will preclude appointment of staff. Adjudicators will seek assistance when and if they deem it necessary.
2.6	There does not need to be a separate entity set up in all cases. In our case the KCECT is an already established independent body.	The Trust is sufficiently independent and elected by the community.
2.9		No retainer needed for low demand options with payment on a time and disbursements basis.

4.1		Low case frequency means that compilation of statistics will take time to accumulate. All cases will be reported to the trust by the adjudicator as the body responsible for oversight.
4.3		Low frequency of cases will mean that some of the information may not always be available, particularly in the first few years. (See Q1 in Feedback Form 1)
5.3		This may be limited by low frequency.
5.11		As with 4.3, the need for reviews will depend on the volume of complaints.
6.2(b)		<p>We question the rationale for setting the jurisdictional cap as high as \$20,000. We note:</p> <ul style="list-style-type: none">• The Disputes Tribunal (a lay disputes resolution system) has a jurisdictional cap of \$7,500. Above that, the legislature has determined that disputes must be referred to the District Court. We cannot see any basis for departing from that benchmark.• In light of the restrictions on parties using legal representation and the inability to appeal decisions, it is inappropriate to expose members to significant liabilities (over \$7,500).• If the Commission insists on a jurisdictional cap of \$20,000, we consider that the benchmarks will need to be changed to ensure that a more robust (and consequently less accessible) process is in place.

5.8		Individual response to each application given the low frequency.
6.2(a)		The referral process will be an individual response to the complaint. It is accepted that it will be essential for parties to exchange information fully in order to reach an optimal solution.
6.3		The disallowance of punitive damages must be maintained.
6.4		See 4.3
6.5		The KCECT as the independent body operating the scheme has this responsibility.