

## **Telephone attendance note**

**01/02/2016**

SU/JH

### Contents

1. SU - Contents page includes reference to non-public documents, including the interpretations document. Their cover letter had asked us to ignore the interpretations documents as it was not part of the application. Please clarify.  
JH – no, it was not supposed to be part of the contents list. They will check the contents list to make sure that it contains only documents forming part of their application.

### Redactions

2. SU - We were only concerned with redactions which were relevant to whether or not IMPRESS meets the recognition criteria. We would only agree to redactions which were commercially confidential in those instances.  
JH - wishes to review business plan narrative and will come back to us.

### Criterion 8A

3. SU - Further information provided, but there will need to be clarification in the future about who is actually covered by the service and whether or not it meets the recognition criteria.

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### Criterion 22(f)

1. SU – Please clarify;

Criterion 22(f) says the scheme must be one which “ ensures that the parties should each bear their own costs or expenses, subject to a successful complainant’s costs or expenses being recoverable (having regard to section 60[1] of the 1996 Act or Rule 63 of the Scottish Arbitration Rules[2] and any applicable caps on recoverable costs or expenses)”.

### Criterion 9

2. Clause 9 of the IMPRESS Arbitration Scheme says that ‘No award of costs shall be made against the Claimant under any circumstances.’

This conflicts with the statement in the matrix that “Claimants will not be liable for costs unless the arbitrator finds that their claim was frivolous or vexatious.”

JH – they will take a look

### Criterion 6

1. SU - "indicative budget the board certifies as adequate"

We cannot locate evidence which shows that the budget has been certified by the Board. Please clarify what we should rely on.

JH – there is a board minute in which the business plan is approved. He will check and revert shortly.