



MODULE 6

Responses, Determinations and Disputes

VIDEO 2

Things to be Considered

Procedure for Responses and Determinations

Things to be Considered Before Responding to the Claim

- The brief of the reviewer – fair and reasonable or defensive?
- The value of the claim
- The strength of the claim and its chances of success
- The quality of the submission
- Negotiation margin

Things to be Considered Before Responding to the Claim

- The dispute procedure and likely outcome
- Available and suitable experience to prepare the response
- Relationship between the parties
- The party or people responsible for the claim on behalf of the claimant

Suggested Procedure for Responses

- Initial **review**
- **Advise** the claimant of any shortcomings and or raise queries which prevents the reviewer from reaching a determination
- Following receipt of additional particulars or a revised claim submission, **proceed** with an assessment
- **Issue** a detailed response document to both parties which sets out the findings

Suggested Procedure for Responses

- After a suitable time for review by the parties, **meet** with the parties to accept comments
- Make any revisions to the response document that are appropriate following the receipt of **comments**
- Repeat the issue/meet/comments process if necessary until agreement is reached
- If no agreement is reached, proceed with a determination and issue a fully detailed document to set out the findings