

What to do when you receive a Preliminary Decision

What is a preliminary decision?

A preliminary decision is a way of giving both parties – the customer and the company - a chance to look at and comment on the adjudicator's decision before it becomes final.

What if I don't agree with the decision?

You might not agree with the preliminary decision. If that is the case, you do not have to accept the final decision. If you think that the adjudicator has misunderstood the facts, has not taken into account a particular piece of evidence, or if you have more information or evidence that might make a difference then you have 5 working days to make comments.

How long do I have to make comments on the preliminary decision?

You have 5 working days to provide any comments you have to WATRS.

What should I include in my comments?

In your comments, you can tell the adjudicator if you think

- **The adjudicator has misunderstood the facts**
You can make comments to highlight where the adjudicator may have got something wrong. For example, you can comment to correct any dates or figures that are incorrect, or to explain where a particular point you made has been misunderstood.
- **The adjudicator has not taken into account a particular piece of evidence**
Even if the adjudicator does not list everything they have seen, they will have read all of the documents provided by you (or CCW on your behalf) and the company. You can tell the adjudicator if you think that they have not taken into account a particular piece of evidence.
- **You want to provide the adjudicator with additional information or evidence that relates to the claim that they have not had the opportunity to see**
You can put forward more evidence on points you have already raised in your case. For example, if the adjudicator says that there is insufficient evidence to support a particular financial loss, you can supply receipts or invoices which prove that this loss was incurred.

Can I raise a new complaint if something further has happened since I started my WATRS case?

No, you can only make comments on points that you have already raised in the case.

What happens after I comment on the preliminary decision?

Your comments will be sent to the adjudicator. The adjudicator will then decide whether or not to make any changes to their decision, before producing their final decision. The adjudicator will aim to complete their final decision within 3 working days of receiving all comments on the preliminary decision.

What will happen if no comments are made on the preliminary decision?

If no comments on the preliminary decision are made, the adjudicator will re-issue the preliminary decision as the final decision.