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# Annual Plan 2023





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This Annual Plan sets out what Ciarb will deliver in 2023 for its members in line with its charitable purpose, strategy and 2023 budget.

## Introduction

Ciarb's strategic aims are to:

1. Globally promote the constructive resolution of disputes.
2. Become an inclusive global thought leader.
3. Develop and support an inclusive global community of diverse dispute resolvers.

In 2022 we continued to put in place the foundations to support the longer-term success of Ciarb and deliver the programme of transformational change needed to enable Ciarb to deliver for its members and against its charitable objectives.

## Building on the successes of 2022

When considering the Annual Plan for 2023, it is important to reflect on the key successes of 2022 which place the priorities in this year's plan into context against delivering Ciarb's strategy.

## Membership, engagement and communication

- We delivered a new brand and brand value proposition for Ciarb which is being embedded across the organisation including our Branches.
- We increased the number of professional members to 17,398.
- We delivered face-to-face events and increased the number of online events, reaching more members than before. Events delivered by Ciarb HQ:

### February

- > Ongoing Learning webinar: **Developments on Choice of Law in International Commercial Arbitration.**

### March

- > **International Women's Day 2022: Break the Bias** with Women in ADR campaign.

- › Ongoing Learning webinar: **Ciarb Guidelines Session 1 – Pre-Hearing Practicalities.**
- › Ongoing Learning webinar: **International Construction Industry Trends.**
- › **Climate Change Disputes: Is arbitration a sustainable option?** delivered during Vis East Moot Oral Arguments Week.

## April

- › Ongoing Learning webinar: **How to get your First Arbitrator Appointment.**
- › Ongoing Learning webinar: **Ciarb Guidelines Session 2 – Procedural Possibilities.**
- › Part 1 of webinar series **Commercial Stability in a World of Conflict: Effective dispute management in uncertain times – Acute dispute and underlying conflict.**

## May

- › Ongoing Learning webinar: **Technology in Arbitration.**
- › Part 2 of webinar series **Commercial Stability in a World of Conflict: Effective dispute management in uncertain times – Civil-commercial neutrals and the fall-out of conflict.**

## June

- › **Roebuck Lecture 2022**, delivered by The Rt. Hon. Sir Geoffrey Vos, Master of the Rolls, titled ‘Mandating Mediation – The Digital Solution’.
- › Ongoing Learning webinar: **Ciarb Guidelines Session 3 – The Power and Purpose of the Process.**
- › Part 3 of webinar series **Commercial Stability in a World of Conflict: Effective dispute management in uncertain times – Commercial organisations and political conflict.**

## July

- › Ongoing Learning workshop **Advocacy Skills for Arbitration Hearings.**
- › Part 4 of webinar series **Commercial Stability in a World of Conflict: Effective dispute management in uncertain times – Civil-commercial and international law.**

## September

- › **Pubs Code Adjudicator Workshop.**

- > **Ciarb Annual General Meeting & Extraordinary General Meeting.**
- > Part 5 of webinar series **Commercial Stability in a World of Conflict: Effective dispute management in uncertain times – Acute Disputes: When acute becomes chronic.**

### October

- > **Mediation Symposium 2022** titled 'The role of mediation in achieving sustainable development: Our duty to challenge?'
- > **Americas Conference**, themed 'Arbitration in the Americas – Views from the profession, the practice, the providers and the parties we serve'.
- > Ongoing Learning webinar: **Is it Time for Investor State Mediation?**
- > Ongoing Learning webinar: **Navigating Sanctions: What are the impacts on dispute resolvers?**

### November

- > **Ciarb Congress 2022** titled 'Building a Profile as a Dispute Resolver – The first appointment and beyond'.
- > **Alexander Lecture 2022**, delivered by Ciarb past president Francis Xavier S.C. PBM FCI Arb C.Arb, titled 'Resolving Intractable Inter–States Disputes: A Sisyphean Struggle?'
- > Ongoing Learning webinar: **Expedited Rules and Procedures.**

### December

- > Ongoing Learning webinar: **Growing your own Dispute Resolution Practice.**
- We completed research to understand our members' wants and needs and developed a member offer (value proposition) based on member segmentation.
- We continued to develop closer relationships with our Branches.
- We increased our social media following by 21%. Our LinkedIn following grew 76,000 compared to 61,000 at the end of 2021.
- We evaluated and are continuing to deliver a mentoring programme for aspiring neutrals.
- We sponsored and supported Vis Moot and Vis Moot East, the ICCA conference in Edinburgh and other global conferences.



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- We attended and contributed to UNCITRAL Working Group II and III, representing our members' views through our observer status.
- We launched the Use of Technology in International Arbitration Guideline.
- We submitted responses to consultations on a number of key areas of UK legislative reform including the Arbitration Act 1996 and mandated mediation.

### **Education and training (including education and training reform)**

- Over 4,700 completed Ciarb training either through HQ (London), Branches, or through Ciarb's partners.
- 98 courses were run at Branches in 2022, an increase on the previous two years.
- Over 4,000 people took Ciarb centralised assessments leading to Ciarb membership.
- Our most popular course was Module 1 in International Arbitration, with over 200 people enrolled in 2022.
- After extensive consultation and engagement across our Branches and faculty members, we created competence frameworks for arbitration, mediation and adjudication.
- Operationalisation of these frameworks has begun with:
  - > Expert appraisal of assessment options.
  - > Auditing of existing content.
  - > Setting up of the global Education and Training Advisory Group (ETRAG).
  - > The development of a faculty competence framework to address the quality of training, coaching and assessment in its initial stages.
- We agreed training arrangements with the Saudi Centre for Commercial Arbitration (SCCA) in the Kingdom of Saudi Arabia, and the Oman Commercial Arbitration Centre (OAC) in Oman, and worked with the new Pakistan Branch to deliver mediation training to around 50 participants.

**Cristina Wagner**  
Mastrobuono FCI Arb  
Independent arbitrator,  
São Paulo, Brazil



Nowadays I serve in many proceedings related to disputes in infrastructure contracts. Joining CI Arb was a turning point in my preparation for becoming an arbitrator. The fellowship assessment taught me more than months of study, and the institution's network is amazing. There really is a feeling of being part of a high-level team of professionals. I am now vice-chair of the Brazil Branch, which is a very active one.

## **Governance reform**

- We secured essential governance reform:
  - › Working with the Privy Council to agree changes to our constitutional documents – Charter and Bye-laws.
  - › Members confirmed their support of the proposed changes at an Extraordinary General meeting.
  - › We created new subcommittees of the Board, Finance, Nominations and Governance committees and a reconstituted Audit and Risk committee to support effective decision-making across Ciarb.
  - › We created a number of specialist groups including in technology, sustainability and adjudication and working groups to support the review the Arbitration Act 1996 and mandated mediation.
- We developed an internal EDI (equality, diversity and inclusion) strategy and guidelines.
- We secured approval for and are in the process of creating new Branches in the Kingdom of Saudi Arabia, Oman, Rwanda and Peru for launch in 2023.

## **IT and digital transformation**

- We continue to deliver our IT and digital transformation plan including development of our customer relationship management system, content management system and website.
- We have improved processes through automation.
- We implemented an intranet and are in the process of implementing an extranet for Branches.
- We enabled use of Zoom for all Branches to support them in delivering virtual training, webinars and meetings.

## **Finance, legal and compliance and training**

- We implemented key changes on health and safety – including installing a new lift in 12 Bloomsbury Square.

- Working with the Audit and Risk committee and our internal auditor, we successfully completed the internal audit programme.
- We delivered internal training to support staff development and organisational culture.

## Looking ahead to 2023

In 2023 we will continue our programme of transformational change, keeping in mind changes to the external environment to ensure we continue to prioritise delivery for members.

It is recognised that the external environment is challenging as the world emerges from the Covid19 pandemic against a backdrop of geo-political turbulence and conflict and rising inflation. This will inevitably have an impact on our members, and we wish to support them and their practices during this period.

The focus of the Annual Plan for 2023 is on enhancing and improving Ciarb members' experience, placing member value at the heart of what we do.

2023 priorities are as follows:

### Improving members' experience

- Develop and implement a **volunteer strategy**. This will set out the ways in which our member volunteers contribute to the organisation's aims and how Ciarb will support and recognise them and celebrate their significant contributions. We have made improvements to how we work with Ciarb Branches including an increase in regular dialogue with Branch Chairs and their committees. Additionally, we are using technology to support Branches with the introduction of an extranet and automation. We have also consulted extensively with our faculty about reform to our educational training and have created specialist groups to inform policy. Building on this and working with our members, we will create a comprehensive strategy to support and recognise their contributions.
- Implement a re-designed **mentoring programme** which enables experienced practitioners to support and develop members at earlier stages of their career.
- Improve the process for obtaining **Chartered status** to ensure it continues to be recognised as the gold global standard and in anticipation of the introduction of

- Chartered status for adjudicators. This includes redesigning the requirements for obtaining Chartered status, reviewing the process and evidence to be submitted to improve quality assurance, and ensuring the standard is in line with Ciarb's competence frameworks and well above the standard required for Fellowship. We will also review and amend the application process for **experienced practitioner routes** to ensure consistency and alignment with Ciarb's competence frameworks.
- Continue to develop and implement our **Ongoing Learning programme** of webinars and workshops designed for Fellows and other experienced members.
  - Improve opportunities to **network** through a series of new informal online networking and social events.
  - Make it easier and more intuitive for members to find relevant information and content. This involves the design and optimisation of **member journeys**, the development of a message framework (including content) for each journey and channel identification.
  - Develop and implement a **content strategy** aligned with the organisation's strategic aims. This will deliver on our agreed content pillars (access to justice; digital and technology; equality, diversity and inclusion; and sustainability), and across the various ADR disciplines.
  - Continue to develop our approach to **social media**. This includes an improved analytical audit of member engagement and developing a content calendar aligned with the content strategy. We have significantly grown our social media over the course of the last two years. This improved approach will support continued growth. By way of example, our LinkedIn following has grown to almost 76,000, up from 61,000 at the end of 2021, and our total social media following has grown by 21%.
  - Review and enhance our **events programme** ensuring coverage and appeal across ADR disciplines, creating more free events for members and introducing more preferential pricing for Ciarb members. We will continue to support member participation to encourage international exchange on developments and practice, greater member advocacy and member-get-member activity. We will continue to deliver and promote global events including our International Women's Day event, Roebuck Lecture and Alexander Lecture. We will also continue to strategically support selected global conferences.



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- Meet our members' needs by delivering an improved member offer (value proposition). The offer is based on four pillars, which were identified through a significant piece of research with members. These are:
  - Trains** – Ciarb provides unsurpassed training for arbitrators, mediators and adjudicators across the globe.
  - Guides** – Ciarb helps members navigate their career journey wherever they are and whatever they are doing.
  - Enables** – Ciarb gives ADR professionals the tools and resources to demonstrate credibility, build experience and become established as trusted practitioners.
  - Connects** – Ciarb connects members to other professionals and work opportunities; it unlocks the ADR world.
- We will continue to implement changes to our member offer in line with the four pillars and based on our members' career journeys and aspirations, to ensure that the products and services we offer continue to provide value throughout members' careers.
- Continue to analyse data to ensure our global and local relevance. This includes working closely with Branches to retain and grow our membership, recognising different requirements in different jurisdictions. We will continue to develop our approach to insight, asking our members about their wants and needs and seeking their opinion on new products.
- Offer access to **competitive professional indemnity** cover to the majority of our members. We aim to enhance this cover particularly for our Fellows and will work with third parties to offer options for our members.
- Make improvements to our **publications** for members. These are based on a review of our publications in 2022 and will include changes to ensure accessibility and increased relevance.
- Continue to implement and embed **Ciarb's new brand**. This includes working closely with Branches to ensure consistency of our brand across the whole organisation.

**Roberto Oliva MCI Arb**

Partner, Pavia e Ansaldo law firm (Milan, Italy) – Honorary Secretary, CI Arb European Branch Committee



Accreditation and Membership with the Chartered Institute of Arbitrators are most rewarding. CI Arb is one of the best places to look for ADR and it opened my learning and networking opportunities on a global scale. Using the CI Arb post-nominals reflects (and informs clients and peers of) my commitment to lifelong learning and to the strictest standards of quality and ethics.

## Improved membership and Ciarb Branch experience through technology

Our digital transformation programme will improve our members' experience when interacting with Ciarb. By introducing more efficient processes, we will enable Ciarb staff to use their time more effectively.

In 2023 we will:

- Deliver Ciarb's new Website, CMS (content management system), Member Portal (for the exclusive use of our members) and our new CRM (customer relationship management system). These technologies will act together to deliver a much improved member experience, enabling us to deliver even more relevant content based on members' needs.
- Deliver transformative technologies to support our new business processes and enable organisational effectiveness right across Ciarb and for our members, our Branches and our organisation. This will deliver:

### For members:

- > An improved member portal, with tiered access (by grade and discipline), providing relevant information based on member preferences.
- > The ability to easily change personal information, track member status and accreditations.
- > The ability to track and reference purchase and training history.
- > Easier joining and renewal journeys.
- > Easy payment processes with different options including monthly payments and automatic renewals.

### For Branches:

- > A collaboration platform connecting Branches to HQ, other Branches and local members.
- > A document store in the cloud, managed locally but delivered centrally.
- > A dynamically updated Local Member Directory for Branch committee members.
- > More freedom to update the Branch website pages.
- > Easier, more automated Branch planning process.

## For Ciarb:

- > A modern website, attractive to members and new audiences, offering a personalised experience.
- > Responsive systems – adaptive for a great experience on any device.
- > Information gathered once and re-used many times as needed to reduce bureaucracy.
- > Automated systems to ease workload and improve efficiency.
- > Reduced use of paper, supporting environmental targets.

## Improving standards and delivering Ciarb education and training

The quality of our education and training underpins everything we do. We have increased the number of candidates we train globally and improved the quality of our training.

In 2023 we will:

- Train at least as many people in 2023 as we trained in 2022.
- Implement a **quality assurance plan** and re-activate the role of regional pathway leaders to ensure Ciarb standards are met globally.
- Align the Ciarb **training partnership scheme** (including Recognised Course Providers) with the competence frameworks.
- Implement changes to how virtual training is delivered to enable greater **diversity and inclusion**.
- Work with the Saudi Centre for Commercial Arbitration and Oman Arbitration Centre to strengthen Ciarb training in Arabic.
- Run the Diploma in International Commercial Arbitration virtually in May 2023 and face to face in Oxford in September 2023.
- Run the Diploma in International Maritime Arbitration virtually in April to June 2023.
- Run the Module 1 Mediation Training and Assessment in June 2023.



- Continue to work with the Institute of Family Law Arbitrators (IFLA) to jointly run training in January, October, and November 2023.
- Review the pricing of our education and training products to ensure it remains competitive and appropriate globally.

### **Continue our programme of education and training reform**

With the competence frameworks agreed by the Board, the priority for 2023 will be operationalise them. This will involve close collaboration between the Ciarb Education and Training Team, Faculty, the Education and Training Reform Advisory Group (ETRAG), together with experts in areas including assessment, training materials design and writing, and the different ADR disciplines.

The key priorities for the coming year are:

### **Reviewing the assessability of the competence frameworks**

- Expert review of the frameworks to assess options for how the competences could be assessed, taking into account the standard measures of assessment which are: validity, feasibility, reliability and fairness.
- Review of existing assessment options by an external education expert to ensure the production of appropriate assessments and assessment exercises at a consistent standard globally.

### **Faculty development programme**

- Audit the existing faculty skills base. Design and develop an ongoing learning and development programme for faculty to future-proof global quality education and training delivery.

### **Competence gap analysis of existing courses and assessments**

- Complete an evaluation of the existing courses in relation to competence frameworks to identify gaps in our current course delivery.

**Henk Louw FCIArb**

Advocate, Arbitrator,  
Mediator and Adjudicator,  
South Africa



On entering the world of arbitration, mediation and adjudication in South Africa, accreditation and Fellowship with the Chartered Institute of Arbitrators was essential in my personal growth and development allowing me to become both an accepted and accredited practitioner and part of an interactive global institution providing uniform guidance, training, mentorship, access to views, news, knowledge and thought leaders.

## Qualification route consultation

- Following the assessability review and gap analysis, commission an expert evaluation of the options for training routes to membership and develop an implementation plan.

## (Re-)Writing, curricula and supporting materials

- Design, as appropriate, new modules to deliver against the competence frameworks and competences not covered by current course content.
- Amend/re-write the arbitration and adjudication pathways.
- Create a specialist group to review and design a global mediation pathway.

## Thought leadership and the promotion of effective dispute resolution

- Continue to work closely and collaboratively with **arbitral institutions** to ensure recognition of Ciarb education and training and membership as part of the entry onto arbitration, adjudication and mediation panels. We have, in the last two years, developed closer working relationships with arbitral institutions around the world and, to support this, the Director General was appointed to the IFCAI Council.
- Develop our established specialist groups in adjudication, technology and sustainability and create new groups for arbitration and mediation. These groups will help to inform and develop Ciarb policy.
- Revise existing guidelines where appropriate, for example the mediation practice guidelines. We will also develop and deliver relevant arbitration, adjudication and mediation **guidelines** including on sustainability, third party funding and monetisation of awards, making of awards on interest, consumers and parties with significant differences of resources, and investor-state dispute settlement (ISDS) starting with mediation and the calculation of damages.
- Continue our role as a key working partner supporting the Law Commission's review of **Arbitration Act 1996**, ensuring members' views are fully represented.
- Continue to work with the Ministry of Justice in the UK and other relevant organisations on the possible implementation of **mandated mediation** in England and Wales.

- Fulfil Ciarb’s role as the secretariat for the APPG (All Party Parliamentary Group) on dispute resolution in the UK.
- With our Branches to support capacity building, policy development and the implementation of promotion and thought leadership where there are significant changes affecting arbitration, adjudication or mediation impacting our members.
- Fulfil our role as an observer in **UNCITRAL working group II and III**, sharing relevant insight with our members.
- Attend, promote, sponsor or participate in arbitration and mediation conferences globally.
- Support global **Vis Moots**.
- Work closely with the Ciarb President to support their success.

### **Governance review**

Following the successful discussions with the Privy Council and having secured support of the membership, we will seek to finalise changes to the Charter and Bye-laws with the Privy Council for implementation in 2023. This will include:

- Considering the appointment of Board members based on a skills assessment audit.
- The implementation of Chartered status for adjudicators.
- The review of Ciarb regulations and terms of reference for standing committees.
- A review of Ciarb’s Branch model rules.

### **New Branches**

Having launched the new Ciarb Pakistan Branch in 2022, we will continue to develop Ciarb’s global network and opportunities for members by creating new Branches in the Kingdom of Saudi Arabia, Oman, Rwanda and Peru.



## **12BSQ**

Maximise the room revenue rental from 12 Bloomsbury Square now that Covid restrictions have been lifted. This includes a review of marketing and communication of 12BSQ.

### **Equality, diversity and inclusion**

Embed our approach to equality, diversity and inclusion through the implementation of our EDI policy on events and education and training. We will also consider how our Branches can support EDI principles.

### **Investing in our people**

- Implement, following consultation, policies on flexible/hybrid working. Following a trial and if appropriate, we will introduce a nine-day fortnight giving our staff the ability to work more flexibly.
- Create a staff engagement group to support the development and implementation of a staff engagement plan.
- Review our staff handbook to ensure people policies reflect best practice.
- Develop and implement a coordinated training programme for staff and senior managers.
- Review Ciarb’s values and develop behaviours to support cultural change.
- Improve the efficiency of recruitment processes and how we review and support performance.

### **Dispute Appointment Service**

We will seek to increase the number of appointments made, building on successes including winning the PCA (Pubs Code Adjudicator) contract and obtaining a sizeable number of Commercial Rent (Coronavirus) appointment applications.

We will:

- Ensure the smooth running of the Panel Appointment Certificate (PAC) renewal process from March 2023 onwards.

- Review the skillsets available on all our panels. Where we identify any potential gaps, we will seek to attract new applicants with the requisite skillsets to join the panel.
- Work with the Adjudication specialist group to identify ways to increase the number of adjudication appointments made by Ciarb. This will include identifying new opportunities and ensuring, for example, that Ciarb clauses are included by default in standard contracts.
- Review the Dispute Appointment Service (DAS) documentation to ensure the contents are up to date and accurately reflect the appointment process.
- Horizon scan for new appointment opportunities for members.
- Work with the Panels Management Group to ensure that entry requirements to the panels are appropriate, and that they are updated as necessary to reflect the new competence framework (including our new power to award Chartered Adjudicator status).
- Ensure we continue to deliver against the Pubs Code Adjudicator (PCA) contract..
- Work to improve the EDI metrics of Ciarb panels.
- Explore the options for Ciarb Branches to run their own appointment schemes.

### **Legal, compliance, financial control/risk management and data security**

As a charity registered in England and Wales, we must comply with charity and other legislation and aspire to ensure best practice in all that we do. In 2023 we will:

- Conduct a gap analysis on data protection, to assess Ciarb’s compliance against the Information Commissioner’s Office (ICO) accountability framework and implement an information governance framework and programme.
- Conduct a contract management assessment.
- Horizon scan for legislation that may impact Ciarb’s ability to deliver on its strategy.
- Review and update policies and procedures.

- Conduct a review of the complaints process and implement any necessary improvements.
- Continue to strengthen our approach to risk management, financial control and data security working closely with the Audit and Risk Committee (ARC), and our external and internal auditors.
- Work with Branches to improve financial control, data protection and manage risk.
- Continue to improve the quality of our data and manage data migration into our new systems.

### **Project management**

All of our project work is planned against key deliverables so we can monitor delivery and ensure we recognise the impact of change across the organisation. We will:

- Continue to manage our transformational change programme through our fully implemented project office. We will manage our project delivery against key milestones, in line with risk assessments and project budgets.



**David E. Sharp FCI Arb**  
Lawyer and Arbitrator,  
North America



Fellowship gives me instant credibility with arbitral institutions, practitioners, and knowledgeable consumers of arbitration services. Being a Fellow has helped me make many new friends and acquaintances in the North America Branch and elsewhere in the world. Having a global network of knowledgeable, friendly ADR practitioners to contact for assistance is a definite plus.

