



COMPLAINTS POLICY

Our policy:

We are committed to providing a high-quality family mediation service to all our clients. We acknowledge that we may not always get it right, so if something has gone wrong or you have any concerns about the service received, we need to know. This will help us to improve our practice.

How do I make a complaint?

Complaints (including claims of breach of the Family Mediation Council's (FMC) Codes of Practice or Standards Framework), about a matter occurring within the last three months may be made by prospective, current or former mediation clients (including persons attending mediation information and assessment meetings); or by others who have been invited to participate in mediation (e.g. another professional who attends a mediation session, or by other FMC registered Mediators, including Professional Practice Consultants (PPC's).

Any complaint must be submitted promptly and, in any event, **no later than 3 months after the grounds to make the complaint first arose**. For the avoidance of doubt, complaints that relate to the way a mediation was conducted as a whole, the date the three months runs from is the last mediation session. If a complaint is made after this time an explanation for the delay must be provided, along with evidence of exceptional circumstances preventing its submission sooner and we will have a discretion as to whether those circumstances should be considered.

It is common for a mediator to contact a potential mediation participant to invite them to the mediation process. Complaints about a mediator contacting a potential participant do not therefore need to be investigated by mediators and will not be accepted under the FMC's complaints process.

Likewise, mediators may sign court forms to say one person has attended a Mediation Information and Assessment Meeting (MIAM) without notifying a potential second mediation participant or inviting them to attend a MIAM themselves. Complaints about a mediator not contacting a potential participant do not therefore need to be investigated by mediators and will not be accepted by the FMC's Family Mediation Standards Board (FMSB).

Please note complaints that appear to be vexatious or of a purely personal nature do not have to be investigated by mediators. Complaints can be considered vexatious when:

- The purpose appears to be to intimidate, disturb, disrupt and/or unduly or unfairly pressurise the mediator or the FMSB;
- They are persistent/repetitive and repeating the same or substantially similar complaints which have already been investigated;
- They are clearly unfounded and unsupported by evidence;
- They are irrelevant and relate to matters other than mediation;

- Abusive or offensive language is used.

Complaints can be considered of a purely personal nature if they are discriminatory or focus on the personal attributes or circumstances of a mediator rather than their actions as a mediator.

Please note that neither the mediators nor the FMSB will be able to disclose any information to you that is confidential between the mediator and the mediation participants. It is therefore normal that as a third party, you will only receive a limited amount of information in response to your complaint, even in circumstances where it is considered by the FMSB.

If you wish to make a complaint, in the first instance please contact the Mediator dealing with your case either in writing, by e-mail or letter, to give details of your complaint. We will listen carefully to any concerns you raise about how your case has been dealt with. If the Mediator concerned is unable to resolve your complaint internally, the complaint may be passed to an independent PPC to review (please see below).

To help us to understand your complaint, and so we do not miss anything, please tell us:

- Your full name and contact details;
- The details of your complaint;
- How you would like your complaint to be resolved; and
- Your file reference number (if you have it)

How will you deal with my complaint?

We will write to you (by e-mail or letter) within seven working days acknowledging your complaint, enclosing a copy of this policy.

All complaints that are within the scope of this policy will be investigated and responded to normally within 30 days of receipt. If further time is required before a response can be provided you will be notified of this in writing.

We may need to ask you for further information or documents to respond fully to your complaint. If so, we will ask you to provide the information within a specific period of time. We may also, if appropriate, invite you to a meeting to discuss your complaint. You do not have to attend if you do not wish to, or if you are unable to. We will be happy to discuss the matter with you by telephone or video conference if preferred.

We will write to you at the end of our investigation to tell you what we have done and what we propose to do to resolve your complaint.

What do I do if we cannot resolve my complaint?

If you are dissatisfied with the mediator's response you should explain in writing why your complaint has not been addressed. On reviewing your complaint, we may call upon an independent PPC to review the matter. If this is necessary written consent will be sought from clients to release their papers to the independent PPC. The independent PPC should report within 14 days of receiving the case file to the mediator, who should write to the complainant confirming their decision, usually within 7 days of receiving the report.

If we have not resolved a complaint within the above timescales, you may make a formal complaint to the FMC's Family Mediation Standards Board (FMSB). Details of how to make a complaint to the FMSB can be found at <https://www.familymediationcouncil.org.uk/complaints-about-mediators>

Please note the FMSB will normally only investigate a complaint if it relates to its Codes of Practice or Standards Framework and if you have exhausted our own complaints process within the last three months.