

Complaints Policy

We always try to offer the best service possible to our mediation participants and welcome any feedback to ensure that we maintain these high standards.

We understand that there may be times where participants feel disappointed in the services provided or that we have got things wrong and if that is the case, we want to hear about it so that we can try and resolve that as quickly and efficiently as possible. This document sets out how we respond to complaints in order to do this.

Definition of a complaint

A complaint against a mediator must relate to breaches of the FMC's Codes of Practice or Standards Framework that occurred within the last three months. For the avoidance of doubt, for complaints that relate to the way mediation was conducted as a whole, the date the three months runs from is the last mediation session. Complaints that appear to be vexatious or of a purely personal nature do not have to be investigated.

Under FMC/FMSB guidelines:

- Complaints against a mediator contacting a potential participant do not need to be investigated.
- Complaints against a mediator who has not invited a potential participant and has issued a MIAM certificate to the other participant do not need to be investigated.

Where complaints come from

Complaints may come from any participant, a former participant or a qualifying third party and must be made in writing by email or post.

A qualifying third party who can make a complaint against a mediator is:

- A potential mediation participant who has been directly affected by a mediator's professional behaviour;
- A person who has been invited to participate in a mediation process, for example another professional who attends a mediation.

Where a third party is involved in a complaint, confidential information will not be disclosed.

Confidentiality

All complaint information will be handled sensitively, telling only those who need to know and following any relevant data protection requirements. If mediation is not continuing, no information about the complaint will be shared with any other participant in the mediation.

Responsibility

Overall responsibility for this policy and its implementation lies with Nell Pearce-Higgins, Director, The Worcester Family Mediation Practice.

Resolving complaints

Stage 1

In the first instance, we would ask that you contact the mediator directly to notify them of your concerns in writing. Once the mediator has received your initial concerns, they will respond to you as soon as possible and no later than 10 working days of your initial concerns being raised.

Stage 2

If after receiving an initial response to your concerns from the mediator, you are still not happy then you can raise a formal written complaint to us. We would ask that this is provided to us within 14 working days of the mediator's response to your initial concerns.

- a. It will help us all if you set out the specific details of your complaint clearly in writing providing examples of what you were not happy with, what you thought we could have done differently and what you would like us to do to resolve your complaint.
- b. Once we have received your formal written complaint, we will acknowledge receipt of your complaint within 10 working days and will then start our internal investigation process.
- c. At this point, we will want to ensure both that we have investigated the circumstances thoroughly, and also taken every opportunity to resolve matters to everyone's satisfaction. This is likely to involve one of the Directors of TWFMF or another accredited mediator who is also a Professional Practice Consultant. It may be that we will discuss with you whether it would be constructive to have further discussions with you to help the resolution.
- d. The person taking responsibility for dealing with your complaint will provide a written response to you within 30 working days. This response is likely to detail the outcome of any investigation and any proposals for resolution of your concerns.
- e. Whether the complaint is found to be justified or not, the decision taken at this stage is final, unless The Worcester Family Mediation Practice decides, in discussion with you, that it is appropriate to seek external assistance with resolution.

Mediation of the complaint

If everyone agrees, mediation can be used to resolve the complaint.

Complaint to Family Mediation Standards Board (FMSB)

If you are not satisfied by the response given to your complaint at Stage 2 above, and you consider that there has been a breach of the FMC Code of Practice (see above), you can ask the Family Mediation Standards Board to consider the complaint if certain criteria are met, and The Worcester Family Mediation Practice can provide details on how to do this.

Contact details for complaints

Written complaints may be sent to: The Worcester Family Mediation Practice, County House, St Mary's Street, Worcester, WR1 1HB or by email to individual mediators or info@twfmp.co.uk

Complaints received by telephone or in person need to be recorded but will not be fully addressed until they are received in writing. The person who receives a phone call or in person complaint should:

- Explain that we have a complaints procedure and offer to share it.
- Ask the complainant to send a written account by post or by email so that the complaint is recorded in their own words and can be addressed in accordance with this policy.

Variation of the Complaints Procedure

The Worcester Family Mediation Practice may vary this procedure for good reason. This may be necessary to avoid a conflict of interest (a complaint about an individual should not also have that person leading an investigation), or where a relevant person is away or unable to respond in a timely manner.