

Mediation Complaints Procedure

How to Make a Complaint

Our Complaints Policy

We are committed to providing a high-quality legal service to all our clients. When something goes wrong we need you to tell us about it. This will help us to improve our standards.

Mediation Complaints Procedure

If you have a complaint please contact Helen York, the Complaints Partner of Wilson Browne Solicitors who will consider the issues raised. She may delegate this task to the Operations Manager, Jill Graham. Ideally this should be in writing, by email, detailing specifically the issues of concern you have, as this will ensure all issues are addressed in full.

Time limits

Your complaint will be acknowledged within 10 working days of receipt and investigated within 30 working days of receipt.

All of the timescales set out in this procedure are clearly subject to review. There may be unavoidable delays such as absences of colleagues on annual leave or sickness. You will be notified if the timescales as set out above cannot be met.

Who Can Bring a Complaint About Mediation

If you are a mediation client, a former mediation client, or a qualifying third party (see below) you can make a complaint that relates to breaches of the Family Mediation Council's Codes of Practice or Standards Framework that occurred within the last 3 months. For the avoidance of doubt, complaints that relate to the way a mediation was conducted as a whole, the date the 3 months runs from is the last mediation session.

You may wish to go to independent mediation. If we are in agreement with this, we can let you know how long this would take.

If our complaint response is not acceptable, the person making the complaint can ask the Family Mediation Standards Board to consider the complaint if certain criteria are met. Further information on how to make a complaint to the FMSB can be found at: www.familymediationcouncil.org.uk/complaints-about-mediators/.

Qualifying third parties

The FMSB sets out those who qualify as third parties who can make a complaint against a mediator:

- A prospective client 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.

For the avoidance of doubt, it is common for a mediator to contact a potential mediation participant after seeing the other potential mediation participant. Complaints about a mediator making contact with a potential participant do not therefore need to be investigated by mediators and will not be accepted by the FMSB.

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 MIAM themselves. Complaints about a mediator not making contact with a potential participant do not therefore need to be investigated by mediators and will not be accepted by the FMSB.

Please note that neither mediators nor the FMSB will be able to disclose any information to you that is confidential between the mediator and the mediation participant(s). 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.