

Complaint Procedure for Family Mediation

1. Introduction

We always aim to provide a high standard of care in all our services.

Our clients' views are important to us and help to ensure our services are consistently meeting people's needs. If you are unhappy with our family mediation service, it is important that you let us know.

If a complaint alerts us to possible abuse or neglect, we will tell the Charity's adult safeguarding officer. This officer will decide how to investigate and monitor outcomes.

2. Making a suggestion

Often people feel more comfortable about suggesting improvements rather than complaining formally. Anyone receiving family mediation service may make a suggestion.

First you should speak to the Service Co-ordinator.

Comments or suggestion boxes are available if you would rather make your suggestion that way.

If the suggestion is something that WSMS as an organisation, needs to consider, you can send it to.

West Sussex Mediation Service, Park House, North Street, Horsham, West Sussex, RH12 1RN.

3. Making a complaint

We aim to handle complaints quickly, effectively and in a fair and honest way. We take all complaints seriously and use valuable information from investigating to help us improve the service we provide.

We treat all complaints in confidence in line with the Family Mediation Council's Codes of Practice or Standards Framework

WSMS assures clients and their families that it will not withdraw or reduce services because someone makes a complaint in good faith.

4. Who can complain?

A client, a former client, or a perspective client of WSMS who has been directly affected by a family mediator's professional behaviour or a person who has been invited to participate in a mediation process, for example another professional who attends a mediation.

A representative may complain on behalf of the affected person if they:

- cannot make a complaint themselves, or
- have given consent for the representative to act on their behalf

If you are not happy about making a complaint yourself and you do not know someone who can talk or write to us on your behalf, we will be happy to find someone from an independent organisation to act as an advocate for you.

5. How you can make a complaint

You can complain:

- in person, by appointment (via 0300 200 0025 or email info@wsms.org.uk)
- by telephone
- by email
- through a member of our staff
- through an advocate or representative

West Sussex Mediation Service

Where someone complains orally, we will make a written record and provide a copy of it within 3 working days

- by letter or
- by email

6. Content of the complaint

The complaint will need to relate to breaches of the Family Mediation Council's Codes of Practice or Standards Framework that occurred within the last three months. For 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. Complaints that appear to be vexatious or of a purely personal nature do not have to be investigated.

For the avoidance of doubt, it is common for a family mediator (or WSMS caseworker) to contact a potential mediation participant after seeing the other potential mediation participant. Complaints about a family mediator (or WSMS caseworker) contacting a potential participant do not therefore need to be investigated by mediators and will not be accepted by the Family Mediation Standards Board (FMSB).

Likewise, accredited family 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 family mediator (or WSMS caseworker) not contacting a potential participant do not therefore need to be investigated by mediators and will not be accepted by the FMSB.

Please note that neither family mediators nor the FMSB will be able to disclose any information to you that is confidential between the family 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.

Complaints that appear to be vexatious or of a purely personal nature

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.

7. Responsibility

The Service Co-ordinator has overall responsibility for dealing with all complaints made about the family mediation service.

We will provide as far as is reasonably practical:

- any help you need to understand the complaints procedure; or
- advice on where you may get that help.

8. How we handle complaints

The Service Co-ordinator will initially investigate the complaint but may escalate it to the Board of Trustees team to investigate further. That person will have enough seniority and experience to deal with the issues raised by the complaint.

It is our policy to acknowledge a complaint within 3 working days of receipt and in any case no later than 10 working days, give you the name and contact details of the person investigating it.

We will keep you informed about the progress of the investigation. We aim to have all complaint investigation completed within 28 working days of receipt of the complaint unless we agree in writing a different time scale with you.

When we have finished investigating, we will arrange to meet with you to discuss the outcome, and write to you with:

- details of the findings
- any action we have taken and
- our proposals to resolve your complaint.

9. Time limits

You should complain as soon as you can after the date on which the event occurred or came to your notice and no later than three months, (see paragraph 6 above)

10. Further steps

At any stage during the process, if you are not happy with the way the service is dealing with your complaint you can contact the Chair of Trustees at:

c/o West Sussex Mediation Service, Park House, North Street, Horsham, West Sussex, RH12 1RN

Once we have dealt with your complaint, if you are not happy with the outcome then you can make a formal complaint to the Family Mediation Standard's Board, see Part 5 of Family Mediation Council's Manual Professional Standards and Self-Regulatory Framework

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We can provide this policy in other languages or in other formats e.g. larger font size, on request.