

- 1 We are committed to providing a high-quality mediation service.
- 2 We acknowledge that we may not always get it right, so if something has gone wrong, including in relation to our charges, we need you to tell us. This will help us to improve our standards of service.
- 3 How do I make a complaint?**
 - 3.1 You can contact us in writing (by email or letter) or by telephone.
 - 3.2 Please contact our Client Care Director who has overall responsibility for complaints and whose contact details are: Marie Walsh, Consilia Mediation Limited, 4 Park Place, Leeds, LS1 2RU, email: marie@consilialegal.co.uk, or by telephone 0113 322 9222.
 - 3.3 To help us to understand your complaint, and in order that we do not miss anything, please tell us:
 - 3.3.1 your full name and contact details;
 - 3.3.2 the details of your complaint;
 - 3.3.3 how you would like your complaint to be resolved; and
 - 3.3.4 your file reference number (if you have it).
 - 3.4 If you require any help in making your complaint we will try to help you.
 - 3.5 Complaints can be made by a client, a former client or a qualifying third party (see below) relating to breaches of the Family Mediation Council's (FMC) 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 (see below).
- 4 How will you deal with my complaint?**
 - 4.1 We will write to you within five working days acknowledging your complaint, enclosing a copy of this policy and inform you as to when you should next hear from us.
 - 4.2 We will investigate your complaint. This will usually involve:
 - 4.2.1 reviewing your complaint;
 - 4.2.2 reviewing your file(s) and other relevant documents; and

- 4.2.3 liaising with the person who dealt with your matter (where this is not the complaints handler).
- 4.3 We may also need to ask you for further information or documents. If so, we will ask you to provide the information within a specific period of time.
- 4.4 We will update you on the progress of your complaint at appropriate times.
- 4.5 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.
- 4.6 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. Where possible, we will aim to do this within 14 working days of the date of our letter of acknowledgement. On occasion further time may be required, in which case we will notify you in writing.

5 What to do if we cannot resolve your complaint

If you do not consider that we have resolved your complaint, you can ask the Family Mediation Standards Board (FMSB) to consider the complaint if certain criteria are met. Details can be found here: <https://www.familymediationcouncil.org.uk/complaints-about-mediators/>

How can the complaint be made?

A complaint can be made to the FMSB by completing their complaints form which you can download [here](#). Once completed, please send this form and any supporting documents to complaints@familymediationcouncil.org.uk

If you struggle to complete the form, you can ask someone to help you to do this or phone the FMC office on 01707 594055 between 9am – 3pm, Monday to Friday.

6 Qualifying third parties

The following 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.

7 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 to be 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.