



Family Mediation

Compliments and Complaints

Policy and Procedure

1. Our Aim

Portsmouth Mediation Service (PMS) is committed to providing a quality restorative family mediation service by working in an open and accountable way that builds trust and respect. One of the ways in which we can continue to improve our service is by listening and responding to the views of our clients and stakeholders, and in particular by responding positively to complaints, and by putting mistakes right.

Therefore we aim to ensure that:

- Making a compliment or complaint is as easy as possible
- We welcome compliments, feedback, and suggestions
- We treat a complaint as a clear expression of dissatisfaction with our service which calls for an immediate response
- We deal with complaints promptly, politely and, when appropriate, confidentially
- We respond in the right way - for example, with an explanation, or an apology where we have got things wrong, or with information on any action taken etc.
- We learn from complaints, use them to improve our service. To this end, our Trustee Committee annually reviews our complaints policy and procedures.

We also recognise that some concerns will be raised informally and dealt with quickly without a formal process.

Our aims are to:

- Resolve informal concerns quickly
- Keep matters low- key
- Offer mediation from an independent service between the complainant and the individual to whom the complaint has been referred.

This policy ensures that we welcome compliments and provide guidelines for dealing with complaints from members of the public, or from allied statutory or voluntary agencies, about our services, facilities, staff, and volunteers.

2. Definitions

(a) A concern is an expression of a worry or a doubt, often resolved by an informal discussion and result agreed between all parties.

(b) A complaint is defined as any expression of dissatisfaction; however it is expressed. This would include complaints expressed face to face, via a phone call, in writing, via email or any other method. All staff should have sufficient knowledge to be able to identify an “expression of dissatisfaction” even when the word “complain” or “complaint” is not used.

(c) A compliment is a means of indicating satisfaction with the standard of services we provide.

3. Compliments

We are always glad to hear from people who are satisfied with the services we offer. All compliments are recorded, acknowledged, and a copy is sent to the service manager to provide feedback to the member of staff & co-workers.

4. Complaints

The formal complaints procedure is intended to ensure that all complaints are handled fairly, consistently, and wherever possible resolved to the complainant's satisfaction.

5. Responsibilities

Portsmouth Mediation Service's responsibility will be to:

- Acknowledge the formal complaint in writing, within a week of receipt
- Investigate and respond within four weeks of receipt. On occasion a further time period maybe required in which case the complainant will be notified in writing
- Deal reasonably and sensitively with the complaint, and act where appropriate.

We would ask any complainant to:

- Raise concerns promptly and directly with a member PMS staff
- Bring their complaint, in writing, to PMS's attention within 3 months of the last mediation session
- Explain the problem as clearly and as fully as possible, including any action taken to date
- Allow PMS a reasonable time to deal with the matter and
- Recognise that some circumstances may be beyond PMS organisation's control.

6. Confidentiality

Except in exceptional circumstances, every attempt will be made to ensure that both the complainant and PMS maintain confidentiality. However the circumstances giving rise to the complaint may be such that it may not be possible to maintain confidentiality (with each complaint judged on its own facts). Should this be the case, the situation will be explained to the complainant.

7. Complaints Procedure:

Written records will be compiled by Portsmouth Mediation Service at each stage of the procedure.

Stage 1.

In the first instance, staff member(s) must establish the seriousness of the concern or complaint. An informal approach is appropriate when it can be satisfactorily achieved, otherwise the formal procedure will endure.

Stage 2.

The service user (complainant) should be advised that a formal complaint may be made with the following procedure being explained to them. It may sometimes be appropriate for a different member of staff, preferably a manager, to make this explanation.

(a) A formal complaint can be made either verbally or in writing. If verbally, a statement should be taken by a manager, staff member of supervisor.

(b) In all cases, the complaint must be passed on to the Service Manager. In the event of a complaint about the Service Manager, the complaint should be passed to the Chair of the Trustee Committee.

(c) The Service Manager or the (Trustee Chairperson), depending upon the nature of the complaint, must acknowledge the complaint in writing within a week of receiving it.

(d) One of the above will investigate the complaint. Any conclusions reached should be discussed with the staff member involved and their line Manager.

(e) The person making the complaint will receive a response based on the investigation within four weeks of the complaint being received. If this is not possible then a letter must be sent explaining why there has been a delay.

Stage 3.

(a) if the complainant is not satisfied with the above decision, then the matter should be placed before the Trustee Management Committee.

(b) The Trustees will examine the complaint and may wish to carry out further interviews, examine files/notes. The complainant may be invited to meet with the Trustees if appropriate, where direct additional information is required to make a further determination before any final decision is made.

Family Mediation Standards Board

If the response made by PMS is not accepted, the complainant can also ask the Family Mediation Standards Board (FMSB) to consider the complaint if certain criteria are met. Criteria include

- That the complainant is a client, former client or qualifying third party (defined as a prospective client who has been directly affected by a 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)
- The complaint concerns a breach of the Family Mediation Council (FMC) professional standards
- The breach occurred within the last three months
- The complaint is not of a vexatious or purely personal nature.

If a formal complaint is made to the FMSB, information held by the mediator that relates to the complaint may be shared with the FMSB.

More information can be found here

Complaints About Mediators - Family Mediation Council

Please note:

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. Mediators may also 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.