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Holistic Family Mediation

with Sushma Kotecha

Feedback, Concerns, and Complaints

Information for you

If you have any concerns about my practice or the service you have received from me as your mediator, there are a few steps you can take.

My aim is to provide participants with an excellent, high level of service. I welcome any feedback that will help me improve the service as well as positive feedback that can be used to promote the service. Please email me and I will acknowledge within 7 days of receipt sushma@holisticfamilymediation.co.uk

I hope you will communicate with me in the first instance about any concerns or complaints so that I can address and rectify any inadvertent omissions immediately to your satisfaction. I will consult with my Professional Practice Consultant (PPC), Ian Walker regarding any complaints.

A complaint can be made by a client, a former client or a qualifying third party (see below) that relates to breaches of the [Family Mediation Council's Code 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).

Please note that it will be necessary to secure the other party's consent to disclosure of any information on your file to third parties if the complaint relates to a mediated case and not the initial separate MIAM, like my PPC and Family Mediation Standards Board (FMSB) who will deal with any complaints that cannot be resolved internally, for the purposes of investigating any formal complaint.

I do hope I will be able to resolve your concerns and any complaint internally. If not, you may make a formal complaint to the FMSB via the [Family Mediation Council](#) (FMC) who will consider and review any substantiating complaint arising out of any alleged breaches of the FMC Code of Practice, which I am duty bound to comply with.

Please rest assured that any complaint will be investigated and responded to fully within 30 days of receipt. In unusual circumstances, I may require more time and if this is the case, I will notify you of the same in writing.

There is the option to deal with any unresolved complaint via the mediation route. If this is considered suitable and we both agree to mediate, timescales to resolve the complaint will be dependent upon the mediator's availability.

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 contacting 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 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 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.

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; and
- when 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.