



## Guidance on Complaints Handling

This guidance is written with the aim of improving the complaint experience for mediators and for complainants.

The FMSB sees a variety of complaints handling approaches: in the best ones, the mediator seeks to understand the reason(s) the complaint is being made, and is open to the possibility they made a mistake, misunderstood something or could do things differently.

Good complaints handling can lead to the FMSB not taking any action, even if breaches of the Code of Practice and Standards Framework have been found, if mediators have used the process to identify themselves where something has gone wrong and taken action to prevent this from happening again. Conversely, bad complaints handling can lead to the most severe consequences, especially where mediators have ignored complaints and shown they have not taken these seriously.

### **Pro-actively consider how you will respond to complaints**

- Make sure your policy is compliant with the [FMC's minimum standards](#).
- Make your complaints policy available: publish it on your website, refer to it in your mediation agreement, and send it to people expressing concerns or complaints.
- Set up processes to enable you to respond to concerns and complaints if received. For example, draft a template acknowledgement of a complaint with a copy of your formal complaints process attached which sets out next steps and a timeline for response, and have systems in place so you know what your next steps are. This can help you feel calm at a stressful time, as well as providing a professional, measured and timely response to the complainant.

**If you receive a concern or complaint, do**

- Tell your insurer if you receive a complaint and your policy requires this.
- Follow your own complaints policy.
- Take it seriously, and respond in a professional and sensitive manner.
- Seek support: tell your PPC if anybody raises concerns about you so that they can support you, and ask your FMC Member Organisation for support too.
- Look upon it as an opportunity to continue to learn and improve your practice of mediation. Complaints can genuinely help you provide a better service in the future.
- Co-operate with the FMSB if the complaint progresses to that stage.

**If you receive a concern or complaint, don't**

- Bury your head in the sand: it is not nice to receive a complaint, but ignoring it makes the situation worse.
- Be defensive or rude in your response, irrespective of the tone of the complaint.
- Be overly concerned if the complaint proceeds to the FMSB. Our processes allow for both complainants and mediators to set out their views on the situation, and, where a mediator is found to have breached the FMC's Codes of Practice or professional Standards Framework, the outcomes are focused on improving practice, as set out in the [indicative outcomes here](#).