



Thornton Jones Solicitors Mediation Complaints Policy

Information for you

If you have any concerns about my practice or the service you've received from me as your Mediator, there are a number of steps you can take.

I hope you will talk to me in the first instance about your concern or complaint so that I can deal with it immediately if I can.

If that does not prove possible, my firm has a complaints procedure. For advice about how to make a complaint, please contact Steven Eldridge, who is the firm's complaints partner, by telephone on 01924 290029 or email at steven@thorntonjones.co.uk.

We hope we will be able to resolve your complaint by one of these steps. If, however, you remain dissatisfied after receiving our response, you may request a review by another member of this practice. Any such request should be made in writing within 14 days of our response. We will acknowledge your request within 10 working days and aim to provide a written outcome within 30 working days.

Who can make a complaint?

A client, a former client or a qualifying third party.

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.

Timescales

You must make your complaint to us in writing within 3 months of the issue complained about arising. Where the complaint relates to the mediation as a whole, the 3 month period runs from the date of the last mediation session or MIAM appointment.

We will acknowledge your complaint within a maximum of 10 working days of receipt.

We will investigate your complaint and respond to it within 30 working days of receipt. If, exceptionally, more time is needed, we will let you know in writing and explain why.

What can you complain about?

We can only deal with complaints that relate to breaches of the FMC's Codes of Practice or Standards Framework as set out in the Agreement to Mediate.

Complaints that appear to be vexatious or of a purely personal nature do not have to be investigated. This will include the following:

- Complaints where the purpose appears to be to intimidate, disturb, disrupt and/or unduly or unfairly pressurise the mediator or the FMSB; -
- Complaints which are persistent/repetitive, and repeating the same or substantially similar complaints which have already been investigated;
- Complaints which are clearly unfounded and unsupported by evidence;
- Complaints which are irrelevant and relate to matters other than mediation;
- Complaints where 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.

What happens if you are unhappy with our response?

If you are not satisfied with our final response, you may ask the Family Mediation Standards Board (FMSB) to consider your complaint, provided their eligibility criteria are met. The FMSB can be contacted via:

<https://www.familymediationcouncil.org.uk/complaints-about-mediators/>