



KEE MEDIATION

## Complaints Policy

Kee Mediation actively welcomes comments both positive and negative about our service. It is very important to us that we provide a service that meets people's needs. If for any reason you're not satisfied with the service you have received from us, please tell us as soon as possible, so that we can take steps to investigate any complaint and take action to rectify it where possible.

We can accept complaints only from those persons considered a client, a former client or a qualifying third party (see below) to make a complaint that relates to breaches of the FMC's "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).

In the event you are complaining about a mediation, we will notify the other party to the mediation that you have made a complaint, but not the content of that complaint.

### What you can do if you are not happy with our service

We operate an internal complaint procedure whereby we will deal with all complaints that are received within 3 months that you had with one of our mediators. We will only accept a complaint about your own experience within any mediation appointment, we are unable to accept collective complaints. Complaints can be made in writing directly to [info@keemediation.co.uk](mailto:info@keemediation.co.uk) and should be directed to the Mediator with whom you have been working.

We ask that your complaint is always sent to us in writing, this helps to ensure that we are clear about your specific concerns, the details of your complaint, along with a brief outline of what resolution you are looking to achieve, as well as what attempts have been made to try to resolve matters.

All complaints will be acknowledged by our Director within 7 working days of receipt.

### Step 1 in resolving all complaints

The first step in resolving any complaint is for your complaint to be dealt with by the Mediator concerned. In all cases when we receive a complaint regarding a mediation, without it first being dealt with by the Mediator then we will pass your complaint onto the mediator or practitioner concerned without further action.

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The mediator may discuss the issues with their Professional Practice Consultant (PPC), before deciding upon an appropriate response, having identified the cause of the problem and the remedies open to them.

The mediator will contact you directly within 14 working days with a response to your complaint.

### Step 2

In the event the mediator has not been able to resolve things with you and you are still not satisfied, you can within 7 days of the letter of response from the Mediator, write to the service Director. The Director may arrange an appointment to contact you by phone to discuss your concerns, talk with the members of staff involved, ensure that service policies and procedures have been adhered to and/or send you a letter outlining their findings and any corrective action that may need to be taken. This will be within 14 working days of receipt.

If the mediator or practitioner about whom you have a complaint is a Director, then at stage 2 this matter will be passed to the relevant Mediators Professional Practice Consultant (PPC), who will look at the issues within the complaint. They will follow the same procedure as described above.

You may be offered the opportunity to mediate to attempt to resolve the issue, but only in instances where both you and the mediator wish for this to proceed.

If after you have followed the above steps and timescales you remain unsatisfied with any of these remedies, including the timescales noted, then you will be able to progress to make a complaint at Step 3.

We hope that with open communication and honesty, any problems will be dealt with to your satisfaction.

### Step 3

Kee Mediation hopes that we would be able to resolve any complaint using the above procedure.

However, should you still feel that your complaint has not been addressed, you complainant can ask the Family Mediation Standards Board (FMSB) to consider the complaint, if certain criteria are met. Please see further details below.

Please note the FMSB as the regulatory body for Mediators are not able to accept complaints about mediators unless you have fully exhausted the service complaints policy as noted at points 1 and 2. This ensures that

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every attempt to remedy the situation has been taken by you and us before they will consider any complaint about a Mediator.

#### Making a complaint to the FMSB

When can a complaint be made?

You may complain to the Family Mediation Standards Board if you have exhausted this complaints process within the last three months.

You may also complain to the Family Mediation Standards Board if you have made a complaint to an FMC Registered Mediator and they are not responding to the complaint.

Who can make a complaint?

You may make a complaint if:

- you are a client or former client of the mediator concerned;
- you are a prospective client who has been directly affected by a mediator's professional behaviour;
- you are 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 you as a potential mediation participant after seeing your ex partner/your child's other parent. Complaints about a mediator making contact with you in this way do not 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 you as potential second participant to the mediation or inviting you to attend a MIAM yourself. 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 if you are not a client or former client of the mediator, you will only receive a limited amount of information in response to your complaint, even in circumstances where it is considered by the FMSB.

Who can a complaint be made about?

The FMSB can only consider complaints made about FMC Registered Mediators. You can check if your mediator is FMC Registered by using the

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Find A Mediators search here: <https://www.familymediationcouncil.org.uk/find-local-mediator/>

What type of complaints will be considered?

The FMSB will consider complaints that concern breaches of the FMC's professional standards. The professional standards are set out in the FMC's Code of Practice, the FMC's Code of Practice for Professional Practice Consultants and the FMC's Manual of Professional Standards and Self-Regulatory Framework.

How can the complaint be made?

A complaint can be made to the FMSB by completing our 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.

What will happen once a complaint has been made?

The complaint will be considered in accordance with set procedures and timescales. If the complaint proceeds, it will go to a panel convened by the FMSB.

As a result of the complaint, the FMSB may take disciplinary measures regarding the mediator concerned. This may include a requirement for further training, attachment of conditions to the terms under which the mediator can practise whilst on the FMC Register, suspension or removal of Family Mediation Council Accreditation, and/or suspension or removal from the FMC Register.

If you are not happy with the outcome, it may be possible to appeal if the FMSB's Complaints Panel did not take in to account relevant evidence or did not give sufficient weight to that evidence, or the correct process was not followed by the FMSB's Complaints Panel.

Are there any circumstances in which my complaint might not be considered, even if it meets the criteria above?

Yes. Complaints that appear to be vexatious or of a purely personal nature do not have to be investigated by mediators and will not be considered by the FMSB.

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;

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- 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 are 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.

Mia Kee

Director

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