Talk Mediation Ltd

Complaints Procedure for family mediations

The complaints procedure set our below fulfils the requirements of The Family Mediation Council (FMC), the Family Mediation Standards Board (FMSB) and the College of Mediators

What complaints will be considered:

A complaint that relates to breaches of the FMC's Codes of Practice or Standards Framework that occurred within the last three months.

For 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.

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 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 and will not be accepted by the FMSB.

Complaints that appear to be vexatious or of a purely personal nature do not have to be investigated.

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;

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

Who may make a complaint?

A client, former client or a qualifying third party

A qualified third party is:-

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.

Complaints procedure

Complaints should be made in writing.

Upon receipt of a written complaint, we will respond to acknowledge the complaint within 10 working days.

The complaint will be investigated and responded to within 30 working days of receipt of the complaint.

If further time is required we will respond within the 30 days to advise of the length of extra time required.

Should all parties involved request there to be a mediation to try and resolve any issue we will seek to arrange this at the cost of the complainant.

Should our written response to the complaint not be accepted, you can ask the FMSB to consider the complaint if certain criteria are met.

The FMSB be contacted at fmsb@familymediationcouncil.org.uk or by phone on 0844 556 7215.

By arranging a MIAM or signing The Agreement to Mediate (either for Online or actual Face to Face Mediation) with Talk Mediation Ltd, you agree that information held by the mediator can be shared with the FMSB or with any complaints handler in the event that a formal complaint is made to the FMSB, to which that information pertains.

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 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.

This policy was last updated on 17.3.26