

Complaints Handling Policy and Procedure

Policy Statement

Canta Mediation is committed to providing a fair and transparent process for complaints raising and resolution that ensures a satisfactory outcome for clients. When something goes wrong, it is important to know about it and deal with it promptly and efficiently to help review the quality of the service provided, improve standards and maintain Canta Mediation's reputation.

This policy details Canta Mediation's intentions when dealing with complaints from clients however they are received. Included in this document is an outline of the processes that will be followed in an attempt to resolve any issues that are raised in relation to Canta Mediation, its activities and representatives. The way in which Canta Mediation deals with complaints or issues are compliant with the Civil Mediation Council's (CMC) Standards for Complaints Procedures for Regulated Mediators or Registered Mediation Providers.

Following application of Canta Mediation's complaints procedure, if the complainant wishes to appeal the outcome, application can be made to the CMC on certain grounds. Details of the CMC's processes can be found at <https://civilmediation.org/for-the-public/complaints>.

The overall aim of this policy is to ensure that all client complaints, written or verbal, are handled in a consistent and efficacious manner and that further complaint incidents are fully mitigated and where possible prevented

Scope

This policy relates to all staff (meaning permanent, fixed term, and temporary staff, any third-party representatives or sub-contractors, agency workers, volunteers, and agents engaged by Canta Mediation) within the organization and has been created to ensure that staff deal with complaints and issues in accordance with legal, regulatory, contractual, and business expectations and requirements.

Objectives

The key objectives of this policy and the accompanying procedure are:

1. To provide a fair and transparent complaints procedure that is accessible to clients so that they can easily contact Canta Mediation to raise a complaint/issue
2. To ensure that clients fully understand the Canta Mediation complaints process
3. To ensure that all at Canta Mediation know what action to take in order to deal with a client complaint
4. To ensure all complaints are investigated fairly and in a timely manner
5. To gather information to ensure improvements can be made moving forward

Complaint Response Standards

The following summarises how Canta Mediation will respond to complaints:

1. All complaints will be acknowledged in writing, by email (unless otherwise requested) within 5 working days of receipt
2. All complaints will be investigated, and a full response provided within 21 working days of receipt.

3. Upon request, clients will be sent a copy of the formal Canta Mediation complaints procedure
4. Responses to complaints will always be communicated via email (unless otherwise specifically requested by the client)
5. Complaint procedures and forms will be made available on the Canta Mediation website or in written or verbal form upon request
6. Complainants will be advised of their rights to appeal any decision made through the Canta Mediation process and provided with detail on how to do so.

Procedures and Guidelines

Raising a Complaint

Initial and/or Informal Complaints.

In the first instance, complainants are encouraged to contact Canta Mediation directly by calling 07450645152 or emailing complaints@canta-mediation.co.uk. Canta Mediation is happy to deal with initial complaints by telephone, so will arrange a call to discuss the matter. An informal resolution will always be attempted where the issue raised is straightforward and easily resolved with little or no investigation.

Irrespective of the outcome, any matter relating to data protection, no matter how small, will be brought to the attention of the Canta Mediation Data Protection Officer.

Canta Mediation will attempt to resolve informal complaints immediately, or at least within 24 hours of receipt. No matter how small the issue, if a resolution cannot be achieved within 3 working days of receipt, the matter will be taken through the formal complaints process

Formal Complaints.

If the matter cannot be resolved informally after a conversation, or a formal complaint is received, an email will be sent to the client within 5 working days, acknowledging the complaint and enclosing a copy of the complaints procedure (including timelines and expectations for the investigation and response) and a form on which to record and return the complaint for formal review and investigation.

Upon receipt of the completed form, the matter will be investigated by our client care partner organization (an independent mediation company) which will review the matter file and speak with the member of staff who acted.

A detailed written reply to the complaint will then be sent to the client, including suggestions for resolving the matter, within 21 days of receiving the complaint form.

If the complaint is complex, requiring more time to fully investigate, the client care partner will inform the complainant, detailing the estimated extension to the resolution timeline required.

A final response will be issued by no later than 6 weeks of the date of receipt

Appeals

If the client remains dissatisfied, Canta Mediation will write to the client forwarding details of our regulatory governing body, the Civil Mediation Council (CMC), and including how to escalate the matter to them for consideration, provided that it is made on the following grounds:

*A complaint may be made against a **Regulated Mediator (CMC Associate, Registered, or Fellow)** on the grounds that they no longer meet the requirements for Regulation (Rule 1(i); and/or they are not a fit and proper person to hold Regulated status (Rule 1 (ii)).*

*A complaint may be made against any **Member of the CMC** (whether an Individual or Organisation, and whether Registered or not) on the grounds that they have brought the CMC or the mediation profession or the mediation process into disrepute (Rule 6).*

Appeals will be dealt with in accordance with the procedures adopted by the Complaints and Discipline Committee of the CMC from time to time.

The CMC will progress the complaint with due diligence and in most cases provide a final determination within 6 months of receipt of the complaint

Details of the CMC's appeal process can be found here: <https://civilmediation.org/for-the-public/complaints/>

Decision Letter (Final Response)

After a complaint has been fully investigated and an outcome and action decision reached, the investigator will produce a final response in writing to the client detailing specific findings and decision regarding any action(s) to be taken.

The final response will be sent within 21 days (exceptionally 6 weeks) of the initial complaint being raised and will specify the clients right to refer the matter to the CMC should they wish to appeal the decision.

For complaints relating to personal data or breaches of data protection laws and regulations, the final response will iterate the complainants right to lodge a complaint with the Information Commissioners Office and will detail ICO contact information.

Record of Complaints and Resolutions

All complaints will be registered in the Complaints Log along with actions taken and details of the resolution/outcome achieved.

Detail of the information to be recorded will include:

1. Date
2. Nature of Complaint
3. Mediator Concerned
4. Complaint Reference
5. Lead Investigator
6. Summary Resolution/Outcome
7. Date of Letter of Decision/Resolution
8. Date Complaint Closed

The Complaints Log will be made available to any relevant authority, ombudsman, or body who relates to or oversees Canta Mediation's complaints, as well as being made available to the local Trading Standards where required to do so.

Responsibilities

All Canta Mediation staff are provided with the time, resources and support to learn, understand and deal with client complaints and future staff will be given full training on the complaint handling policy, procedures and standards.

The Complaints Officer is accountable for ensuring all complaints are properly dealt with and is responsible for the regular audit of the Complaints Log to ensure mitigating actions and improvements are established wherever possible following complaints.