



# MEDIATION INSTITUTE COMPLAINT HANDLING POLICY

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## PART 1: OVERVIEW

### 1. Purpose

This policy supports the independent complaint handling services provided by Mediation Institute (Mi) to our members who are:

- Registered Family Dispute Resolution Practitioner (FDRPs)
- Accredited Mediators AMDRAS
- Family Group Conference Facilitators

It also covers complaints regarding the operations and services of Mediation Institute itself.

This policy ensures that complaints are handled fairly, efficiently, and effectively, providing clear guidance to all Mediation Institute personnel responsible for receiving or managing complaints.

Specific frameworks supporting this policy include:

- The Mediation Institute Independent Complaint Handling Policy for Family Dispute Resolution Practitioners, submitted to the Australian Attorney-General's Practitioner Registration Department on 27 April 2025, in accordance with the Family Law (Family Dispute Resolution Practitioners) Regulations 2025.
- The adoption of the AMDRAS Model Policy for complaints against Accredited Mediators (effective 1 December 2025).

Although there is no formal registration system for FGCs, the principles of this policy apply equally to complaints about Family Group Conference Facilitators.

### 2. Scope

This policy applies to all Mediation Institute officers, staff, and contractors ("our people") involved in receiving, managing, or resolving complaints relating to:

- Our services and operations,
- Our members and Registered Practitioners,
- Our complaint handling practices.

The policy is guided by **AS/NZS 10002: Guidelines for Complaints Management in Organisations**, which outlines best practice in planning, operation, and continuous improvement of complaint management frameworks.

# Mediation Institute Complaint Handling Policy and Procedures

## 3. Terms and Definitions

Term	Meaning
AMDRAS (or “The AMDRAS”)	The Australian Mediator and Dispute Resolution Accreditation Standards. Note: AMDRAS is a national accreditation scheme for dispute resolution practitioners in Australia. <a href="http://www.amdras.au">www.amdras.au</a>
Complaint	An expression of dissatisfaction requiring response or resolution.
Complaint handling management system	Policies, procedures, practices, hardware, and software supporting complaint management.
Dispute	An unresolved complaint escalated internally or externally.
FDRP	A Family Dispute Resolution Practitioner registered with the Australian Attorney Generals Department. The national register is located here <a href="https://fdrr.ag.gov.au">https://fdrr.ag.gov.au</a>
Feedback	Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about us, about our services or complaint handling system.
FDR Regs	The Family Law (Family Dispute Resolution Practitioners) Regulations 2025. The regs are located here <a href="#">Federal Register of Legislation - Family Law (Family Dispute Resolution Practitioners) Regulations 2025</a>
Policy	A statement of instruction that sets out how we should meet our obligations.
Procedure	A statement or instruction that sets out how our policies will be implemented and by whom.
Registered Practitioner	A practitioner accredited under AMDRAS and listed on the National Register.
Unreasonable Conduct by Complainant	Behaviour raising substantial health, safety, resource, or equity issues

# Mediation Institute Complaint Handling Policy and Procedures

## 4. Mediation Institute Commitments and Roles

Role Commitment	How
<b>Leadership Team</b>  Promote and facilitate ethical culture and fair complaint resolution.	<ul style="list-style-type: none"><li>• Ensure accessible policies that are clear, fair and effective.</li><li>• Respond appropriately to substantiated complaints and determine disciplinary action</li><li>• Report appropriately</li><li>• Review and respond to trends</li><li>• Encourage process improvements</li></ul>
<b>Frontline Staff</b>  Provide information and support	<ul style="list-style-type: none"><li>• Treat complainants and members respectfully</li><li>• Assist in lodging complaints</li><li>• Follow the policies and procedures</li></ul>
<b>Complaint Managers</b>  Manage complaints appropriately	<ul style="list-style-type: none"><li>• Treat parties fairly</li><li>• Gather information and perspectives</li><li>• Make recommendations</li><li>• Engage in continuous improvement</li></ul>

## Part 2: Principles

### 5. Guiding Principles

An effective complaint management system is based on:

- **Fairness:** Handling complaints impartially.
- **Accessibility:** Making it easy to lodge complaints.
- **Responsiveness:** Acknowledging and acting promptly.
- **Efficiency:** Resolving complaints within set timeframes.
- **Integration:** Embedding complaint handling into organisational culture.

## Part 3: Complaint Handling Process



### Step 1 - Facilitate complaints

We recognise the right to lodge complaints.

We will:

- Provide clear and accessible information about lodging complaints.
- Accept complaints verbally, in writing, or electronically.
- Offer assistance for those needing help lodging complaints.
- Ensure individuals feel safe making complaints.
- Listen respectfully and involve complainants in the process.
- Provide reasons for decisions and information on review options.

**Anonymous Complaints:** Accepted where possible based on available information, while observing principles of due process and transparency.

**No Detriment:** No adverse consequences for making a complaint.

**Costs:** No fee to lodge a complaint. Costs for investigations or dispute resolution processes are disclosed and agreed in advance.

**Time Limits:** Complaints raised more than 12 months after service delivery may limit effective evaluation.

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## Step 2- Acknowledge and respond to complaints

Upon receipt of a complaint, we will:

- Acknowledge within 2 working days.
- Inform the complainant of the process, timeframes, and assigned officer.
- Clarify the complaint if needed.
- Escalate serious misconduct appropriately.

**Objectivity and Fairness:** No person implicated in a complaint will manage it. Conflicts of interest will be managed transparently.

**Confidentiality:** Information will be disclosed only as permitted by law or by agreement.

## Step 3 – Manage and Resolve the Complaint

We will:

- Assess complaints based on evidence and fairness.
- Consult relevant parties as needed.
- Seek prompt resolution through information, corrective action or dispute resolution.
- Provide a clear written outcome.
- Inform complainants of appeal or escalation options.

**Resolution goal:** within 21 business days of acknowledgment.

**Empowerment:** Our personnel are encouraged to participate in and suggest improvements to the complaint system.

## Special Considerations

### Managing Unreasonable Conduct

- We will address behaviour that impacts efficiency or poses health, safety, or equity issues.
- We will protect our people and resources while maintaining accessibility.

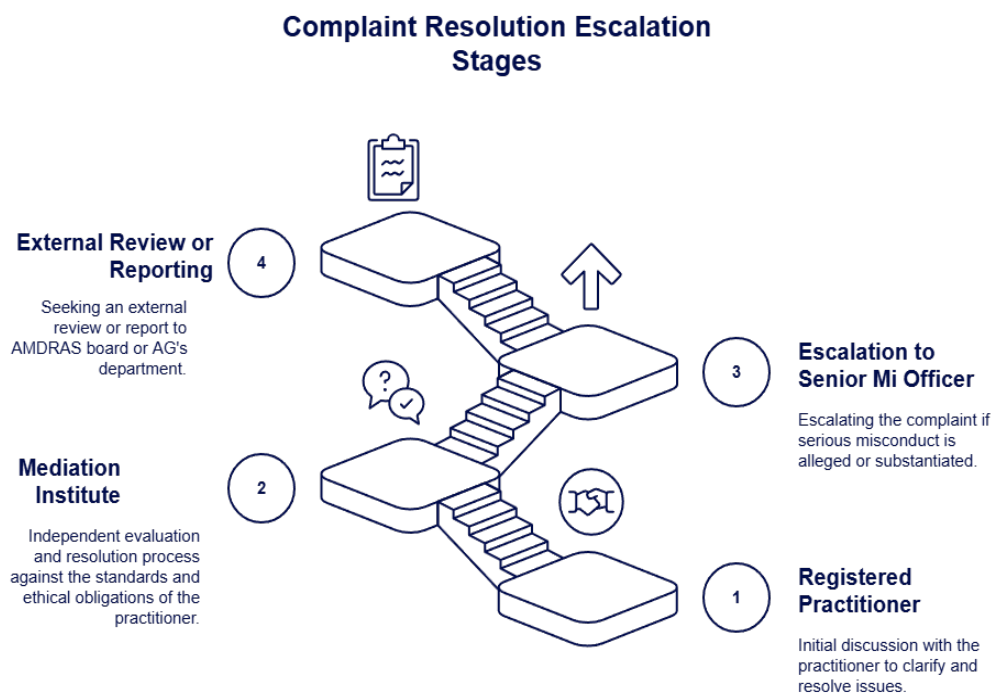
### Complaints Involving Multiple Agencies

Where complaints involve multiple parties:

- We will coordinate communication and responsibility.
- We will ensure information sharing respects privacy, confidentiality, and safety.
- We expect our service providers to have effective complaint management systems

# Mediation Institute Complaint Handling Policy and Procedures

## 4 Levels of Complaint Handling



### Level 1 – Registered Practitioner (Direct Resolution)

Where appropriate and safe to do so, individuals with concerns are encouraged to attempt resolution directly in the first instance.

- Mediation Institute may facilitate initial communication between the parties if requested.
- Both the person making the complaint and the member will be asked to provide written confirmation that the concerns have either been:
  - resolved to the satisfaction of the complainant, or
  - not resolved.
- If written confirmation is not received within a reasonable timeframe, or there is disagreement about the status of the complaint, Mediation Institute may proceed to Level 2 handling.

### Level 2 – Mediation Institute Evaluation

Mediation Institute will assess the complaint based on available evidence.

At this stage:

- An impartial fact-finding process will be conducted, including Gathering written statements, evidence, and relevant documentation from both the complainant and the Member.

# Mediation Institute Complaint Handling Policy and Procedures

- Clarifying the facts and circumstances surrounding the complaint.
- Determine substantiation of the complaint.
- Advise parties of the findings and next steps.

## Level 3 – Internal Review (Escalation)

Where resolution or satisfaction is not achieved at Level 2, Mediation Institute may escalate the complaint to a more senior officer within the organisation.

- Internal review by a senior officer
- Possible external consultation for complex matters

## Level 4 – External Review

- Referral to an external agency.
- Where Mediation Institute seeks guidance or has reporting obligations they may escalate the complaint to external review.

External review options include:

- Review by the AMDRAS Board under Clause 81 of the AMDRAS Standards (for matters involving AMDRAS Registered Practitioners).
- Review by the Attorney Generals Practitioner Registration Unit (for matters involving FDR Practitioners)

Referral to external bodies such as State or Territory Fair Trading or Consumer Affairs agencies (for business practice or service delivery complaints).

Mediation Institute will advise complainants of available external review options at the conclusion of the internal process if they are not satisfied with the findings.

# Part 4: Learning, Reporting, Accountability, and Prevention

Mediation Institute recognises that responding to and learning from complaints is an essential part of our commitment to continuous quality improvement, professional development, and the protection of service users. We also recognise our obligations to regulatory bodies, including the AMDRAS Board and the Attorney-General's Department.

### Record Keeping and Reporting

We maintain systematic records of all complaints to:

- Identify trends, systemic issues, and opportunities to improve our personnel, services, and complaints handling processes.
- Fulfil reporting obligations to:
  - the AMDRAS Board, pursuant to clauses 66.2(c), 69(c)(iii), and 80 of the AMDRAS Standards; and
  - the Attorney-General's Department, where applicable for Family Dispute Resolution Practitioners.

Complaint records are maintained in a manner that allows information to be easily retrieved for analysis, reporting, and review.

We regularly run reports detailing:

- The number of complaints received,
- The outcomes of complaints, including matters resolved at the frontline,
- Key issues arising from complaints,
- Systemic issues identified,
- The number of internal and external review requests received.

### Disciplinary Action

Mediation Institute has the authority to impose disciplinary action or conditions on the accreditation of Registered Practitioners and members including cancellation or suspension or the imposition of conditions.

Where disciplinary action involves cancellation, suspension, or the imposition of conditions, we will:

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- Notify the AMDRAS Board of matters relating to Registered Practitioners AMDRAS and/or
- Notify the Attorney-General's Practitioner Registration Unit of matters relating to Family Dispute Resolution Practitioners.

## Monitoring and Continuous Improvement

Mediation Institute is committed to ensuring accountability in complaint handling through regular evaluation and continuous improvement initiatives.

We will:

- Analyse complaints and complaint handling outcomes to monitor trends and assess service quality,
- Measure and report on the performance of our complaint management system,
- Review the quality and timeliness of complaint responses to ensure they meet organisational standards.

Regular analysis and monitoring enable us to ensure that complaints are not only resolved but contribute to broader organisational learning.

## Monitoring of the complaint management system

We continually monitor the effectiveness of our complaint management system to:

- Ensure it responds effectively and fairly to complaints,
- Identify and correct any deficiencies in processes, staff capacity, or systemic issues.

Monitoring activities may include:

- Internal audits,
- Complaint satisfaction surveys,
- Use of online listening tools and alerts,
- Feedback from service users and stakeholders.

Findings from monitoring activities are used to inform ongoing improvements to complaint handling practices.

Through these actions, we ensure that our complaint handling system remains effective, efficient, and aligned with the needs and expectations of the people and communities we serve.

# Additional Information and Procedures

You can locate the specific procedures for complaint handling for the following categories of members downloadable from our website:

[Mediation Institute Independent Complaint Handling Service](#)

- Mediation Institute Independent Complaint Handling Policy and Procedures for Family Dispute Resolution Practitioners (FDRPs)
- Mediation Institute Complaint Handling Procedure for Registered Practitioners AMDRAS