

Australian Mediation Association Complaint handling mechanism

Introduction

When responding to complaints, personnel act in accordance with complaint handling procedures as well as any other internal documents providing guidance on the management of complaints. Personnel should also consider the AMDRAS and any relevant legislation and/or regulations when responding to complaints and feedback.

Communication

Information about our complaint process is accessible, written in easy English and provided in a variety of formats. Our complaint management policy is accessible from:

- our website
- our communication with staff

Information made publicly available about the complaints management system include:

Complaints are made through our contact form via The Australian Mediation Association website.

Complaints are to be made in written format.

Complaints will only be handled within a 28-day period from the conclusion of the mediation.

Acknowledgement of complaint is to be expected within 3 business days.

The five key stages in our complaint management system are set out below



1. Receive

Unless the complaint has been resolved at the outset, we will record the complaint and its supporting information. Complaints will only be accepted if occurring within 12 months of mediation occurring. We will also assign a unique identifier/number to the complaint file.

The record of the complaint will document:

- Contact information of the person making a complaint and the date received
- Issues raised by the person making a complaint and the outcome/s they want
- Any other relevant information to properly respond to the matter, and
- Any additional support the person making a complaint requires.

The Australian Mediation Association will track the progress of each complaint until its finalisation.



Updates of the status of the complaint should be made available to the complainant upon request and at regular intervals, at least at the intervals following the pre-set deadlines.

Please note The Australian Mediation Association may consider recording complaints resolved at the first point of contact.

2. Acknowledge

We will acknowledge receipt of each complaint promptly, and preferably within 3 working days. When appropriate we may offer an explanation or apology. Consideration will be given to the most appropriate medium (e.g. email, letter) for communicating with the person making a complaint.

3. Assess and investigate

3.1 Initial assessment

After acknowledging receipt of the complaint, The Australian Mediation Association will confirm whether the issue/s raised in the complaint is/are within our control. The Australian Mediation Association will also consider the outcome/s sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed. When determining how a complaint will be managed, The Australian Mediation Association will consider:

- How serious, complicated or urgent the complaint is
- Whether the complaint raises concerns about people's health and safety
- Impact on the individual, the general public or our organisation
- The risks involved if resolution of the complaint is delayed
- Personnel that should and should not be involved in managing the complaint,

and

- Whether a resolution requires the involvement of other organisations

After the initial assessment, the person allocated should consider how to address the issues raised in the complaint. This could include working with the complainant to see if the issues can be appropriately addressed, informal inquiries or a formal investigation of the complaint.

The nature and scope of any enquiry or investigation will depend on the circumstances of each case, the issue complained about, the parties involved and potential outcomes.

3.2 Addressing the complaint

After assessing the complaint, The Australian Mediation Association will consider how to manage it. The Australian Mediation Association should handle all complaints in a manner intended to address the complaint appropriately as quickly as possible.

We may:

- Give the person making a complaint information or an explanation
- Gather information about the issue, person or area that the complaint is about,

or

- Investigate the claims made in the complaint.



The Australian Mediation Association will keep the person making the complaint up-to-date on our progress, particularly if there are any delays. The Australian Mediation Association will also communicate the outcome of the complaint using the most appropriate medium. Which actions The Australian Mediation Association decide to take will be tailored to each case and take into account any statutory requirements.

4. Determine outcome and provide reasons for decision

Following consideration of the complaint and any investigation into the issues raised, The Australian Mediation Association will contact the person making the complaint and advise them:

- What actions were taken in response to the complaint
- The outcome(s) of the complaint
- The reason/s for our decision
- The remedy or resolution/s that The Australian Mediation Association have proposed or put in place, and
- Information about Any options for review that may be available to the complainant, such as an internal review, external review or appeal (including to the AMDRAS Board pursuant to clause 83 of the AMDRAS Standards).

If any adverse findings are made about a recognised practitioner or a particular staff member, The Australian Mediation Association must consider whether privacy obligations impact on what information can be disclosed to the complainant.

5. Close the complaint: document and analyse data

5.1 Document

At the time of closing the complaint The Australian Mediation Association will record the following
The Australian Mediation Association will keep records about:

- The nature and details of the complaint
- Steps taken to address the complaint
- The outcome/s of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations), and
- Any outstanding actions to be followed up, including analysing any underlying or root causes

This will assist in responding to any further reviews or appeals as well as supporting quality improvements.

5.2 Implementation of outcomes and reporting

The Australian Mediation Association will ensure that outcomes are properly implemented, monitored and reported to senior management and where appropriate the AMDRAS Board or the Attorney General's Department.

5.3 Data Collection

The Australian Mediation Association will ensure that all staff are aware of the policies for identifying, gathering, classifying, maintaining, storing, securing and disposing of complaint related records.



Information collection includes:

- The steps involved in recording the handling of each complaint and appropriately maintaining these records
- Maintaining records of the type of training and instruction that individuals involved in the complaint management system have received
- Specifying our criteria for responding to requests for records made by a complainant or their agent including what kind of information will be provided, to whom and in what format.
- Specifying how and when de-identified complaint data may be disclosed to the public or other organizations to whom the complaint refers such as the AMDRAS board in accordance with the AMDRAS.

5.4 Analysis and evaluation of complaints

We seek to identify possible systemic issues or breaches and when identified staff should report systemic issues or breaches internally and to the AMDRAS board when needed.