
Complaints Handling Procedure

For mediation services provided by Steven Bate through Bee Consulted Limited trading as Construction + Engineering Mediation (“the Practice”).

1. Purpose and availability

The Practice seeks to deal with concerns about its mediation administration, the conduct of the Mediator or the mediation service promptly, fairly and transparently. This written procedure is available on <https://cemediation.co.uk> and will be drawn to the attention of prospective mediation participants at the outset of each appointment. It supplements clause 16 (Complaints) of the Practice’s Standard Terms of Appointment.

2. Making a complaint

A concern may initially be raised informally with Steven Bate. A formal complaint should be made in writing to Steven Bate, Construction + Engineering Mediation, by email to steven@beeconsulted.co.uk (or by another written method agreed with the Practice). Please mark the communication “Formal complaint – C+E Mediation”. A complaint may be raised by a mediation party or another person directly affected by the service. There is no fee for making a complaint.

Please identify the mediation (if any), the relevant events, the concern complained of, any supporting documents and the outcome sought. The Practice will make reasonable adjustments to enable complaints to be made and considered, including assistance where a person cannot readily complain in writing.

Appointments through a panel or provider. If Steven Bate is appointed through a mediation panel or other provider, the Practice will investigate and respond to complaints about his own conduct or mediation services under this procedure. Complaints about the appointing organisation itself should be directed to that organisation under its complaints procedure. Participants will be told at the outset of the appointment which procedure applies and the appropriate point of contact.

3. Acknowledgement

The Practice will acknowledge a formal complaint promptly and in writing, normally within seven calendar days of receipt. The acknowledgement will identify the person handling the complaint and, where necessary, request any further information reasonably required. The Practice will explain if a concern is outside the scope of this procedure.

4. Fair and independent consideration

A complaint will be considered by a person of appropriate seniority. As the Practice is operated by a sole mediator, Steven Bate will ordinarily be responsible for handling complaints. Where a complaint concerns his own conduct, the Practice will, wherever reasonably possible and proportionate, seek the assistance of a suitably experienced person who has not previously been involved in the matter to review or investigate it. Independence cannot be guaranteed in every case, but any relevant limitation will be disclosed and the complaint will still be considered fairly. Any third-party review will be subject to appropriate confidentiality protections and any necessary permissions.

5. Investigation and written outcome

The complaint will be reviewed objectively, taking account of available records and giving relevant persons a fair opportunity to comment. A substantive written response will be given within 28 calendar days of the written acknowledgement. The response will summarise the concerns, the steps taken, the conclusions and any action proposed. If the Practice cannot provide a full response within that period, it will explain the reasons for delay in writing and provide an updated timeframe. Where reasonably practicable, a request to reconsider the outcome will be reviewed by a person not previously involved; the Practice will explain whether such a review is available and its expected timetable.

6. Referral to the Civil Mediation Council

At the conclusion of the Practice's complaints-handling process, a complainant may, in certain circumstances, refer the matter to the Civil Mediation Council (CMC), where the Mediator is subject to its regulatory complaints jurisdiction. The CMC considers whether the matters raised could amount to Serious Professional Misconduct and meet the requisite high threshold of seriousness. A CMC referral is not a route to compensation, redress or resolution, and is not an appeal against the outcome of this procedure; it cannot change or overturn that outcome. Further information:

<https://civilmediation.org/concerns/>.

7. Confidentiality and records

Complaints and related records will be handled with appropriate confidentiality and in accordance with applicable data protection law. Disclosure may be made where reasonably necessary to investigate the complaint, comply with a legal or professional obligation, obtain confidential professional advice or respond to a competent regulator. The Practice will maintain a record of each formal complaint, the steps taken and the outcome for at least three years and make it available to the CMC upon request where applicable, subject to lawful confidentiality and data protection requirements.

8. Scope and other rights

This procedure addresses the conduct and administration of mediation services; it does not determine the underlying dispute or reopen, vary or set aside any settlement agreed between mediation parties. It does not remove any legal rights or remedies that a person may otherwise have. Matters involving personal information may also be raised with the Information Commissioner's Office where appropriate.