

## **1. Introduction**

1.1 The purpose of this informal ADR process is to provide a fair and transparent way of resolving concerns and complaints when it is not necessary, or appropriate, to use the formal Complaints and Professional Conduct Procedure. ADR also avoids the stress and emotional cost of being involved in the formal procedures.

1.2 There are several options under this process, including:-

- Telephone calls
- Letters or emails
- Face to face meetings
- Mediation

1.3 The ADR Manager will take into account the wishes of both client and practitioner when considering which options may be appropriate.

## **2. Confidentiality**

2.1 All options under this process are confidential to the client and practitioner concerned, and those who have a role in helping them to reach a mutually agreed outcome.

## **3. Information about mediation**

3.1 Mediation is a collaborative, decision making process where both the client and practitioner have the opportunity to say what they think and feel about what has happened between them, identify the difficulties between them, consider options and attempt to reach a mutually agreed outcome, with the help of a neutral mediator. Both client and practitioner make an informed choice about whether or not to participate.

3.2 The role of the mediator is to help both the client and practitioner communicate with each other, and help them identify and clarify issues, consider possible solutions and negotiate their own agreement.

3.3 The mediator will make arrangements for dates, times and venue with both the client and practitioner.

## **4. The Mediation Process**

4.1 Usually the mediator will meet both people separately to ask them to explain how they perceive what has happened, and to ask them what suggestions they have for resolving the issues. If both parties agree to meet then:-

- The mediator will explain the time structure, and agree ground rules e.g. listening without interrupting

- Each person has the opportunity to say how the difficulties have affected them, and the other person has the opportunity to respond. The mediator will try to make sure each person understands what the other person has said.
- The mediator will help the client and practitioner identify the issues that need to be resolved, help them both consider possible options for resolving the issues, and help them to reach an agreement which will be written down in draft form.
- Following the mediation meeting, the Head of Faculty and/or a member of the Clinical Ethics Committee will consider the draft of the concluding agreement. If amendments are suggested both client and practitioner will receive an amended draft agreement with a clear statement giving the reason for any amendment(s). Both parties may then sign the agreement.

## **5. Other Information**

- There are several points in dealing with a concern or complaint when the client and the practitioner may be asked whether they are willing to participate in finding a possible satisfactory resolution to the concern or complaint under the ADR process:-
  - after checking which pathway would be appropriate for dealing with the concern or complaint with either a member of the Clinical Ethics Committee or the ADR Manager.
  - after the written concern or complaint is received by the Clinical Ethics Committee for consideration under CPCP. This includes any recommendation for resolution using the ADR following an appeal against the finding of the Enquiry and Assessment Panel. The formal procedures will be put on hold.
- If satisfactory resolution is unable to be achieved using ADR the matter may be referred for consideration under the formal CPCP.
- In the unlikely event that any issues of public safety come to light at any stage in the ADR process, the process will be terminated and the matter referred to the Clinical Ethics Committee for consideration under the CPCP.
- Both parties are required to refrain from using abusive behaviour towards anyone, including members of the Institute, staff and visitors to the Institute's premises. This includes contact by any other communication medium. Failure to observe this requirement may result in the termination of the ADR process or action under the Institute's Conduct and Discipline Policies.