

# **BMT Complaint & appeals policy by UAM**

## **1. Purpose**

The purpose of this policy is to define the actions to be taken in the case of a complaint or appeal is received from trainees with regard to trainers or decisions related to the studying and certification and assessment process.

This policy is not applicable for complaints related to alleged illegal, financial, or regulatory issues, which will be handled by proper authorities.

## **2. Scope**

This policy covers two different scopes and types of complaints outlined as in the following:

1. The complaints addressed to the Ukrainian Academy of Mediation (hereinafter – UAM) about course quality or a trainer/trainers breaching the training program and/or rules of communication. These types of complaints are hereinafter referred to as “**Course Complaint.**”
2. The appeals addressed to the Ukrainian Academy of Mediation (hereinafter – UAM) against assessment and certification process. These types of appeal are hereinafter referred to as “**Assessment Appeal.**”

## **3. Terms and Definitions**

Complainant – trainee, or his/her representative making a complaint.

Complaint - expression of dissatisfaction, other than appeal, by complainant to UAM, relating to the studying process, course quality or work/behaviour of a trainer/coach, where UAM`s response is expected. It`s a written request, other than an appeal, made to UAM for corrective action relating to the activities of UAM course or trainers.

Appeal – request by trainee, or his/her representative for reconsideration of assessment or any decision made by UAM related to her/his certification or desired status.

Certification process - activities by which UAM determines that a person fulfils certification requirements, including application, assessment, decision on certification, recertification and use of certificates and logos/marks.

UAM`s e-mail – [info@mediation.ua](mailto:info@mediation.ua) or actual UAM`s e-mail from the UAM`s website.

## **4. General Rules for Filing a Complaint or an Appeal**

Some general rules for filing a complaint or an appeal are as in the following:

- a. By submitting a complaint or an appeal, any complainant commits to reporting facts completely and truthfully.
- b. Any complain which provides any proven false statements will not be reviewed and entire complaint or appeal will be terminated.
- c. Any unsubstantiated elements — not supported with real evidence — of a complaint or an appeal (hearsay, rumours, unproven accusations, etc.) will not be taken into consideration in any complaint or appeal.
- d. The Complaint and Appeal Policy does not deal with alleged illegal, financial, or regulatory issues. For any complaint or parts of a complaint related to alleged illegal, financial, or regulatory issues, UAM will respond by recommending that the complainant reaches the proper authorities and inform them that it will not deal with alleged illegal, financial, or regulatory issues. The only exception to this is if a complainant provides evidence that a legal decision has been rendered and asks UAM to deal with it (e.g., if a complainant provides evidence that UAM affiliate or employee was the subject of a recent court decision).
- e. The Complaint and Appeal Policy does not deal with issues for which the deadlines to submit complaints and/or appeals have been reached.
- f. No complaint will be processed if it is done anonymously. Complainants and appeals must provide personal information, as described below under the instruction's sections for filing complaints.
- g. If applicable, all complaints need to be shown to the individuals being complained against so that they can have an opportunity to respond. If the complainant does not give the authorization for the complaint or appeal to be shown to the person or function being complained against, the complaint will not be processed.
- h. If individuals exhibit querulous or persistent behaviour, i.e., if they exercise their right to complain in an excessive or unreasonable manner, e.g., excessive complaints and/or appeals within a short period, repetitive complaints and/or appeals using the same arguments for settled issues, UAM will not process the complaint and/or appeal.
- i. All reports, findings, and materials created, collected or submitted in connection with the Complaint and Appeal Policy, including but not limited to information submitted by a Complainant or a Respondent, are UAM's confidential property. Materials submitted to UAM in connection with a Complaint or an Appeal will not be returned, unless agreed to prior, by the Complainant or Respondent and UAM. UAM will take reasonable measures to ensure that any files resulting from implementation of this Complaint and Appeal Policy shall be and remain confidential except as required by law, or as necessary to fully

investigate a complaint and appeal. Parties are encouraged to maintain confidentiality.

## **5. Course Complaints**

### **5.1 Procedure Overview**

All complaints relating to a trainer/trainers, studying process or course quality are reviewed by the CEO of UAM and/or a designated employee assigned by him or her. The designated employee is not a trainer or part of the staff involved in the course against which a course complaint is being raised.

If trainee/complainant disagrees with studying process, course quality or finds the work/behaviour of a trainer/coach incompetent or inappropriate, he/she have a right to declare in detailed writing the reason of disagreement or complaint to UAM via email within 30 days from the date of the corresponding occasion. Course complaints received after 30 days will not be processed.

### **5.2 Instructions on Filing a Course Complaint**

Information to be include in the course complaint:

Besides personal information (full name, email address, telephone) of the complainant, complaint should include the opinion about studying process, course quality or work/behaviour of a trainer/coach and why complainant is not satisfied with that.

### **5.3 Instructions on reviewing a Course Complaint**

The reviewer of the course complaint should consider the complainant's explanation and provide a written response, which includes:

- Response with a clear explanation of the outcome of the course complaint with relevant documents and/or links if applicable.

The reviewer of the course complaint should reply within 60 calendar days after receiving a complaint. The complainant will receive an answer and the decision on his complaint reached in writing (via email).

It should be noted that this decision is absolute and final.

The submission, investigation, and decision on certification complaints will not result in any discriminatory actions against the complainant.

All course complaints, including actions taken, will be tracked and recorded by UAM.

## **6. Assessment Appeal Process**

### **6.1 Procedure Overview**

If complainant disagrees with the assessment and certification decisions of the evaluation stage, he/she has a right to proceed to the appeal stage, explaining the reasons for disagreement. Trainee/complainant should declare in detailed writing the reason of disagreement and appeal to UAM via email within 30 days from the date of the assessment/certification date. Assessment appeal received after 30 days will not be processed.

### **6.2 Instructions on Filing an Assessment Appeal for appellant:**

1. The appeal should be submitted not later than 30 days after the assessment/certification procedure.
2. The appeal should be submitted in writing via e-mail.
3. The appeal, besides the personal information (full name, address, phone number and other contact details) of the appellant, should include the opinion about the assessment and why the appellant is not satisfied with the decision and evaluation.

### **6.3 Instructions on reviewing an Assessment Appeal by UAM:**

1. All assessment appeals are reviewed by the CEO of UAM and/or a designated employee assigned by him or her. The designated employee is not an assessor or part of the staff involved in the assessment/certification against which an assessment appeal is being raised.
2. UAM will respond to an appellant in writing (via email) explaining the decision taken for the appeal within 90 calendar days after receiving the appeal. It should be noted that this decision is absolute and final.
3. UAM decision for the appeal could be one of the following:
  - a) Satisfying the appeal and re-evaluation the assessment/certification
  - b) Partially satisfying the appeal and assigning a date for reassessment/recertification
  - c) Dismissal of an appeal
4. The submission, investigation, and decision on appeals will not result in any discriminatory actions against the appellant.
5. If necessary, UAM will take appropriate correction and corrective/preventive actions.

6. All appeals, including actions taken, will be tracked and recorded by UAM.