

Guidance notes for customers

Mediation

Who are CEDR?

We are the Centre for Effective Dispute Resolution, one of the largest alternative dispute resolution providers in Europe. Each year we assist in resolving over 25,000 disputes between business and their customers across more than a dozen industries.

What is alternative dispute resolution?

Alternative dispute resolution (ADR) is a way of resolving disputes informally and confidentially without needing to escalate matters to the courts. Mediation is one of the ADR methods that we use.

What is Mediation?

Mediation is a form of ADR that is used to resolve disputes. A mediator works as a neutral intermediary between you and the business you are in dispute with, helping both sides understand the differences between them and exploring the options for a resolution that would be acceptable to both.

How does it work?

Once we have reviewed and accepted your application for Mediation, we will allocate a mediator to the case. They will contact you and the business separately for confidential discussions to discuss the dispute. All conversations that you have with mediator are confidential and they will only share information you have given to them with the business if you give permission to do so and this applies in the same way with the business. The mediator will work with both of you to encourage you to resolve the dispute in a way you will both be satisfied with. Once you and the business have agreed a way forward, the mediator will draft a written outcome statement and send it to each of you. If you both return a signed copy of the statement to us within the time we have set, the dispute will be resolved.

Do I need a solicitor to represent me?

You do not need a solicitor but you can ask one to represent you if you wish to. However, you cannot claim any charges your solicitor may make for their services.

**Will I be expected to go to a hearing?**

No, the whole process is conducted over the phone and in writing.

Who are the mediators?

The mediators are people from a number of professions such as engineering, financial services, HR, legal and surveying who have been trained and accredited by CEDR to become professional mediators. To be accredited, mediators will conduct at least 70 hours of training, including five days of comprehensive tuition and role playing in mediation techniques. CEDR accreditation is internationally recognised as the standard of excellence, with over 10,000 professionals trained in 70 countries over the last 25 years.

Does the mediator decide the outcome of the dispute?

No, the mediator's role is not to take sides but to help you come to an agreement. They will often help you test the strength of your dispute in private and may suggest how the business may react to a solution you might like to propose. However, both sides need to trust that the mediator will treat both parties equally so mediators are careful to avoid taking sides.

How much does it cost?

In most cases the business will pay for the Mediation as part of their commitment to customer service. There may be a small fee in some cases, which is less than the cost of taking a claim to the Small Claims Court or Money Claim Online. See individual schemes for more details.

When can I apply?

You can apply for Mediation if a business has not been able to resolve your complaint about their services through their own complaint's procedure, provided they are subscriber to CEDR. On some schemes, the industry trade body will try to resolve your complaint for you before it can be referred to us. Please read the guidance notes on the scheme pages that relate to your dispute for more details.

What happens when you receive my application?

Once we receive your application, we will check that we can handle it under the relevant rules. We will then tell you and the business that we have accepted your application and confirm the name of your mediator.

**How long will it take?**

We must complete cases within 90 days of accepting an application, but in most instances the process takes around 50 days.

What are the precise details of the process?

Mediation schemes are run under a set of rules which are publicly available on this website on the page that relates to each scheme that we run.

What happens if we don't agree on a resolution?

You will be free to pursue a claim through other means such as the courts if the Mediation does not result in a resolution and nothing you have said to the mediator, or offered to the business during the Mediation, can be used against you in that court action.

Can I send copies of the outcome statement to consumer forums or publish it on a website?

Mediation is a confidential contractual process between you and the business. If you choose to publish a copy of any material about the process in a public forum, the trader may take action against you for breaking the contract.

What should I do if I have other questions?

Contact our office on 020 7520 3800 for more guidance.

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