

Member Engagement and Complaints Committee (MECC)

Terms of Reference

1. Purpose

The purpose of the Member Engagement and Complaints Committee (MECC) is:

- a. To engage with member organizations and their Dispute Resolution (DR) members to support them through the AMDRAS transition, and other ongoing support needs
- b. To provide oversight and coordination of engagement activities with member organisations by the AMDRAS Board (the Board) and committees.
- c. To investigate complaints brought to the Board and recommend to the Board actions related to a Registered Practitioner or Recognised Provider.
- d. To provide oversight and governance of member organisations complaints policies and procedures, and compliance with their reporting requirements.
- e. Administer audit processes for Recognised Providers (RP's) complaints policies and procedures and provide advice and recommendations as considered appropriate.

2. Membership

- f. The AMDRAS Chair will be an ex-officio member and there shall be 2-4 Board members, including a Convenor, appointed as members after each Annual General Meeting of the Board.
- g. Non-Board members may be appointed by the Board to sit on the Committee.

3. Meeting Schedule

The MECC must convene a meeting at least once in any three-month period, and at other times as required. During AMDRAS implementation, it may be necessary to meet more regularly to provide guidance, templates, and other materials to support the members.

4. Authority

- h. The Board's authority to delegate any of the directors' powers to a committee or committees can be found in clause 10.18 of the Australian Mediator and Dispute Resolution Accreditation System (AMDRAS) Constitution.
- i. The Board's authority for member engagement can be found in AMDRAS, Part 8 Clause 76(a) which states "The Board provides support and encouragement to AMDRAS Members in their efforts to meet their responsibilities under AMDRAS; and AMDRAS Part 8 Clause 76(b) which states "This includes supporting AMDRAS Members in ensuring relevant, workable and up-to-date processes for complaints management, accreditation, and re-accreditation."
- j. The Board's authority for complaints can be found in:

- AMDRAS Part 8 Clause 81 which states (a) “The Board can hear complaints referred to it about the adequacy of processes including complaints management, accreditation, re-accreditation, training, assessment, and related processes employed by Recognised Providers in relation to their functions under AMDRAS; and(b) The Board can uphold, set aside or vary any decision made by Recognised Providers in relation to a complaint, made under paragraph (a), where the Board considers it appropriate and reasonable in the circumstances to do so.”
 - AMDRAS Part 6 Clause 66.2: Complaints Handling
 - AMDRAS Part 8 Clause 80: Board can audit Recognised Providers
- k. The Board’s authority for suspending and de-recognising AMDRAS members and Registered Practitioners can be found in AMDRAS, Part 8 Clause 78

5. Responsibility

The MECC will:

- l. endeavour to respond to member engagement matters and complaints in a timely manner and as soon as practicable.
- m. assess and prioritise member engagement matters and complaints in accordance with urgency and/or seriousness of the issues raised.
- n. convene a meeting at the earliest convenience and escalate a matter appropriately if a member engagement matter or complaint involves an immediate risk to safety or security.
- o. assist the AMDRAS secretariat by providing support and encouragement to AMDRAS members in their efforts to meet their responsibilities under the AMDRAS.
- p. be responsible for updates to Appendix 5 of the AMDRAS (the ‘Model Policy’) and recommending changes to the Board as required.

6. Reporting Obligations

- q. the Committee will report to each meeting of the Board of Directors, including the Annual General meeting if required.
- r. seek approval from the Board for any response to be sent to member organisations, mediator members, and/or outside stakeholders in a timely manner and as soon as practicable.
- s. where Board approval may not be obtained in a timely manner, then the Committee Convenor will consult with the AMDRAS Chair as to the appropriate timely action.