

ADRIO Complaints Policy

The original ADRIO Complaints Policy took effect on October 13, 2011.

This revised version of the original ADRIO Complaints Policy was approved on October 30th, 2025.

Preamble:

WHEREAS the ADR Institute of Ontario (the “Institute”) is committed to professional practice standards in the registration, accreditation, continuing education and regulation of Ontario dispute resolution professionals whom are members of the Institute (“Member” or “Members”) so that the User can have trust, confidence and security in the dispute resolution services of its Members;

WHEREAS any act or omission by a Member in the course of delivering dispute resolution services is a matter of importance to the Institute which seeks to uphold such professional practice standards through the acceptance and consideration of any report of wrongdoing by a Member (called the “Complaint”);

WHEREAS the author of the Complaint must be a direct User of a dispute resolution service delivered by a Member governed by the Institute (“the Complainant”);

WHEREAS the Institute has its own Code of Ethics and also established a process for the acceptance, investigation, consideration and resolution of Complaints of its Members in a manner that is accessible, transparent, and fair (“the Complaints Policy”);

WHEREAS Members are expected to comply with the Institute’s Code of Ethics and submit to the Complaints Policy by acceptance of membership in the Institute;

A. Definitions

In this policy, the following terms have the meaning in the section below:

1. Complaint refers to any written report of wrongdoing by a Member of the ADR Institute of Ontario in the course of delivering dispute resolution services.
2. Complainant refers to a User whom delivers to the ADR Institute of Ontario a Complaint regarding a Member.
3. Complaints Policy refers to the herein process by the ADR Institute of Ontario for the acceptance, investigation, consideration and resolution of Complaints of its Members.
4. Dispute resolution professional(s) refers to a Member of the ADR Institute of Ontario who provides dispute resolution services to individuals, businesses, or organizations.
5. “Dispute resolution services” refer to the broad spectrum of structured processes, methodologies, and interventions designed to assist individuals, businesses, and organizations in preventing, managing, and resolving conflicts or disagreements. These services encompass both consensual and adjudicative mechanisms, ranging from informal negotiations and facilitated discussions to formal arbitration, mediation, adjudication, collaborative law, early neutral evaluation, parenting coordination and litigation support. Dispute resolution services aim not only to resolve the immediate issues at hand but also to preserve relationships, promote fairness, ensure procedural efficiency, uphold legal rights, and achieve sustainable outcomes tailored to the parties’ unique needs and interests.
6. “Scope of governance” refers to the full range of authority, responsibilities, processes, and structures through which the ADR Institute of Ontario exercises control, decision-making, oversight, and accountability over its operations, members, stakeholders, and objectives. It defines the boundaries within which policies are formulated, strategies are implemented, ethical standards are upheld, risks are managed, and compliance is ensured. The scope of governance includes not only internal matters such as corporate management, resource allocation, and operational oversight, but also external dimensions like stakeholder engagement, regulatory adherence, public trust, and societal impact.

7. User refers to any individual, business, or organization that purchases dispute resolution services from a Member of the ADR Institute of Ontario.

B. Complaints Procedure

The following process shall apply when the Institute receives a Complaint regarding a Member:

8. The Executive Director shall ascertain that the Complaint meets the minimum threshold for consideration the Institute by ensuring that:
 - a. the Complaint relates to a Member of the Institute;
 - b. the Complaint relates to a Member's act or omission in the delivery of dispute resolution services governed by the Institute;
 - c. the Complaint is from a direct user of a dispute resolution service delivered by a Member governed by the Institute;
 - d. the Complaint falls within the scope of governance by the Institute;
 - e. the Complaint contains sufficient details to enable an investigation, consideration, and resolution of the Complaint; and
 - f. the date of the submission of the Complaint is no more than 2 years after the said act or omission.
9. The Executive Director of the ADR Institute of Ontario or their delegate (the "Executive Director") shall send a written confirmation of receipt of the Complaint, Institute's Code of Ethics and Complaints Policy to the Complainant and a copy of same to the subject Member;
10. In case the dispute resolution service delivered by a Member consists of a dispute resolution process for the resolution of the Complaint as part of that contract, that process must first be completed before the Institute shall initiate an investigation, consideration, and resolution of the Complaint.
11. In case the Complaint meets the minimum threshold for consideration, the Executive Director shall establish a Review Committee for that Complaint as soon as practicable.

12. The Review Committee shall consist of 3 members of the Board of Directors who are independent of the parties, or such other Members of the Institute as selected by the Board of Directors.
13. The Executive Director shall then notify the Member and the Complainant in writing that the Review Committee was constituted.
14. On or before 15 business days after delivery of the Complaint, the Member may deliver a response to the Complaint.
15. The Executive Director shall deliver to the Complainant a copy of the response of the Member.
16. On or before 15 business days after delivery of the copy of the response of the Member, the Complainant may deliver a reply to the response of the Member.
17. The Executive Director shall deliver to the Member a copy of the reply of the Complainant.
18. After the delivery of the Complaint, the response of the Member and the reply, there shall be no further submissions to the Review Committee.
19. The Executive Director shall provide the Review Committee a copy of the Complaint, the response of the Member and the reply.
20. In case the Review Committee requires more information to consider the Complaint, it shall cause the Executive Director to request such information from the Complainant or the Member, with written notice to both parties.
21. The Review Committee shall prepare a report to the Board of Directors for consideration of the Complaint that may include, but is not limited to, a summary of its investigation, consideration, dismissal, or recommendation for resolution. Such recommendations may consist of a warning to the Member, advice to the Member, caution to the Member, training, suspension of membership, termination of membership or such other suitable dispute resolution process. The

Board of Directors cannot award a monetary penalty, damages or compensation to the Complainant, nor approbation of the Member's conduct. In case of a dismissal of the Complaint, the Board of Directors shall not comment on the merits of the Complaint.

22. The Board of Directors shall consider the report of the Review Committee and direct the Executive Director to notify the Complainant and the Member of its decision in writing.
23. The decision of the Board of Directors in respect of the Complaint is final and not subject to appeal, judicial review or other action.
24. The communications in respect of the Complaint including the responses and the decision of the Board of Directors may not be disclosed to any person or entity without the prior written consent of the Executive Director. Neither the Complainant nor the Member may disclose any part of the Complaint or its process or outcome in any public space such as through social media and shall provide a signed undertaking of such agreement.
25. This Complaints Policy shall be reviewed and updated by the Board of Directors in every even-numbered year.