**FMC FMCA portfolio application form**



Mediator name:

Address for correspondence:

Email:

Telephone:

Organisation(s) portfolio work undertaken with: (name, address & tel.):

Name of current PPC:

Tel:

Email:

Names of any previous PPCs since training and periods covered:

**Declarations:**

I confirm that my portfolio is all my own work.

I confirm that all contents have been fully anonymised and that client permission has been sought, where possible and where practicable, for their inclusion.

I confirm that there are no past, current or known future reasons why I should not be practising as a mediator.

I confirm that I will comply with and practise in accordance with the FMC Code of Conduct and with the organisational procedures of the organisation of which I am a member (B1.1).

I confirm that I will operate within the law, following any legal requirements and processes (B1.2).

Mediator signature .............................................. Date .............................

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#### **Portfolio checklist**

Please complete the table below and ensure that all relevant documentation has been included with the portfolio. Your signature at the end signifies your confirmation of experience and compliance with the guidelines for submitting your portfolio for assessment. Your portfolio should be submitted in 4 sections (please refer to the guidelines (5.1) for additional information.)

|  |  |
| --- | --- |
| **Documentation – Section 1** | **Enclosed** |
| Application form |  |
| Contents page |  |
| Completed FMC Competences Grid |  |
| 3 case commentaries covering your three main submitted cases. |  |
| Responses to three of the five case study questions |  |
| Reflective account (between 1,500 – 2,000 words) |  |
| Your Personal Training and Development Plan |  |
| **Documentation – Section 2** |  |
| Recent CV or short written summary of pre-mediation background and experience |  |
| Copies of certificates of relevant training undertaken (must include certificate of your family mediation Foundation Training) |  |
| Statement from your PPC |  |
| Account of session observed by the mediator |  |
| Mediator account of feedback and reflection of session observed by PPC |  |
| PPC log |  |
| **Documentation – Section 3** |  |
| Outcome statements for each of the three main cases submitted, including an MOU and OFS for at least 2 financial cases |  |

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| **Documentation – Section 4** |  |
| Full case paperwork for one of the three cases and two MIAM records for two cases. |  |

Mediator’s signature: ………………….……………….. Date: …………………………..

**FMC Competences Grid**

|  |  |  |
| --- | --- | --- |
|  | **FMC Competence** | **Evidence page number(s)** |
| **SECTION A: THEORETICAL UNDERPINNINGS** | | |
| **A1** | **Understand and draw on theories-in-use that inform the practice of mediation** | |
| A1.1 | Theories concerning the impact of separation, loss and conflict on families and individuals |  |
| A1.2 | Theories of child development and the impact of separation and other family changes on children and young people |  |
| A1.3 | Theories of conflict, co-operation and competition |  |
| A1.4 | Theories of communication and engagement |  |
| **SECTION B: PROFESSIONALISM AND ETHICS** | | |
| **B1** | **Work within legal and professional guidelines and the limits of personal capability** | |
| B1.1 | Working in accordance with the FMC Code of Practice and with the organisational procedures of the organisation(s) of which the mediator is a member |  |
| B1.2 | Operating within the law and following any legal requirements and processes |  |
| B1.3 | Only undertaking work within the mediator’s competence and capacity, seeking guidance or recommending alternative sources of support where necessary |  |
| B1.4 | Understand the impact of the mediator’s personal beliefs, values and style |  |
| **B2** | **Maintain the ability to practise competently and ethically** | |
| B2.1 | Maintaining an adequate and up-to-date understanding of legislation, policy developments, research and practice relating to the field of family mediation |  |
| B2.2 | Maintaining an adequate level of support from a Professional Practice Consultant (PPC) |  |
| B2.3 | Taking responsibility for personal learning and development, including identifying areas for development, acting to meet learning objectives and learning from practice |  |
| **B3** | **Respect the needs and individuality of participants** | |
| B3.1 | Maintaining sensitivity to the individual needs of participants |  |
| B3.2 | Acting in accordance with the principles of equality and diversity; for example responding to and addressing cultural and gender issues effectively and sensitively |  |
| B3.3 | Taking into account, and acting with sensitivity towards, any issues of mental health, learning disability or other potential barriers to participation in mediation |  |

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| **B4** | **Balance the need for confidentiality with that for safeguarding** | |
| B4.1 | Applying and upholding the principle of confidentiality and respecting the privileged nature of family mediation, other than where there are overriding and ethically sound reasons to do otherwise |  |
| **B5** | **Act with integrity and fairness** | |
| B5.1 | Acting in an even-handed manner |  |
| B5.2 | Acting with openness, transparency and integrity |  |
| **SECTION C: MEDIATION PRACTICE** | | |
| **C1** | **Provide appropriate information to participants (includes C5 standards)** | |
| C1.1 | Being clear about the difference between an initial consultation or assessment meeting and a mediation session, explaining the principles, potential and limitations of mediation as well as the different methods of mediation that are available and how they would work |  |
| C1.2 | Providing information about family law and its processes |  |
| C1.3 | Understanding and providing unbiased information about other relevant means of family dispute resolution |  |
| C1.4 | Providing information about sources of assistance for parents, children and families and signposting as appropriate |  |
| C1.5 | Explaining (and maintaining) to the participant, the distinction between information and advice and ensuring they are aware of their right to seek independent legal advice |  |
| **C2** | **Assess the suitability of mediation for participants (includes C4 standards)** | |
| C2.1 | Assessing, initially and on an on-going basis, suitability for mediation in respect of (a) the dispute, (b) the participants and (c) all the circumstances of the case |  |
| C2.2 | Screening effectively with each participant separately for domestic abuse, harm to themselves, children or others or threat of harm whether reported or not |  |
| C2.3 | Providing appropriate information on sources of assistance and protection from harm, including emergency remedies |  |
| C2.4 | Notifying appropriate outside agencies, and the mediator’s PPC, where necessary of any safeguarding/domestic abuse issues |  |
| C2.5 | Helping the participants to decide on the appropriateness of mediation for their situation |  |
| **C3** | **Check eligibility for financial support** | |
| C3.1 | Identifying any public or other funding that is available and carrying out and recording financial checks (capital and income) for onward signposting to an appropriate provider |  |
| **C6** | **Establish the environment, agenda and ground rules for mediation** | |
| C6.1 | Setting up and creating a safe and neutral environment for mediation as appropriate for participants’ needs |  |

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| C6.2 | Identifying and agreeing the issues that will form the agenda for discussion |  |
| C6.3 | Establishing the principle of balanced participation, and agreeing how this balance will be maintained throughout the process |  |
| **C7** | **Use effective skills and interventions during the mediation process** | |
| C7.1 | Understanding and using appropriately different types of intervention e.g. questioning, acknowledging, active listening, mutualising, normalising, reframing, summarising, responding to non-verbal behaviour/body language to enhance communication, aid mutual understanding and rapport and help participants to move forward |  |
| C7.2 | Understanding and using appropriately different ways of bringing the perspective of children and young people into the mediation process |  |
| **C8** | **Maintain progress towards resolving issues** | |
| C8.1 | Managing the discussion of matters in a way that facilitates effective progress |  |
| C8.2 | Managing effective financial disclosure |  |
| C8.3 | Facilitating participants’ lateral thinking, problem solving and option development |  |
| C8.4 | Understanding and using appropriate techniques for dealing with conflict, power imbalance and impasse to avoid detriment to either participant |  |
| C8.5 | Managing strong emotions and conflict sufficiently to allow the mediation process to move forward |  |
| **C9** | **Produce an appropriate and agreed outcome statement** | |
| C9.1 | Ensuring that all mediated outcomes use appropriate language and drafting formats, follow a clear rationale, are reality tested, approved by both participants and set out any matters that have not been resolved (as appropriate) |  |
| C9.2 | Ensuring congruence between ‘without prejudice’ mediation summaries and open financial statements and ensuring that only appropriately open facts are included in open financial statements |  |
| C9.3 | Drafting financial settlements that are capable of legal implementation where appropriate and in accord with current legislation |  |
| **C10** | **Record decisions and maintain participant files** | |
| C10.1 | Recording assessment as to the suitability of mediation |  |
| C10.2 | Recording participant’s agreement to mediation including any ground rules that are established |  |
| C10.3 | Recording the location, timetable and practicalities of mediation |  |
| C10.4 | Recording details and outcomes of each session, including any proposed actions (for participants and the mediator) and matters to be taken forward to the next session |  |

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| **C11** | **Review individual cases and overall practice** |  |
| C11.1 | Identifying any significant personal learning points from cases and initiating case discussions with PPC(s) |  |
| C11.2 | Contributing as needed to reviews of individual cases and to overall service provision |  |

**Please note these two sections ONLY to be completed if you did not do the MIAM(s) on two of your case commentary cases. Otherwise the MIAMs should be included in the relevant case commentaries.**

**MIAM Commentary 1**

**Case Reference:**

**Timings:**

**Participant(s):**

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| --- | --- |
| **How you managed the process** | **Self-reflection on your interventions** |
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**MIAM Commentary 2**

**Case Reference:**

**Timings:**

**Participant(s):**

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| **How you managed the process** | **Self-reflection on your interventions** |
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**Case Commentary 1**

**Case Reference:**

**Timings:**

**Participants:**

**Issues:**

**Mediation Type:**

**Fee Status:**

**Case History:** (no more than two paragraphs outlining the case background and the parties’ key issues)

|  |  |
| --- | --- |
| **How you managed the process** | **Self-reflection on your interventions** |
| Establishing the arena (include MIAM if one of two examples) | Establishing the arena (include MIAM if one of the two examples) |
| Identifying the issues | Identifying the issues |
| Exploring the issues | Exploring the issues |
| Developing options | Developing options |
| Securing agreement | Securing agreement |

**Case Commentary 2**

**Case Reference:**

**Timings:**

**Participants:**

**Issues:**

**Mediation Type:**

**Fee Status:**

**Case History:** (no more than two paragraphs outlining the case background and the parties’ key issues)

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| **How you managed the process** | **Self-reflection on your interventions** |
| Establishing the arena (include MIAM if one of the two examples) | Establishing the arena (include MIAM if one of the two examples) |
| Identifying the issues | Identifying the issues |
| Exploring the issues | Exploring the issues |
| Developing options | Developing options |
| Securing agreement | Securing agreement |

**Case Commentary 3**

**Case Reference:**

**Timings:**

**Participants:**

**Issues:**

**Mediation Type:**

**Fee Status:**

**Case History:** (no more than two paragraphs outlining the case background and the parties’ key issues)

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| **How you managed the process** | **Self-reflection on your interventions** |
| Establishing the arena (include MIAM if one of the two examples) | Establishing the arena (include MIAM if one of the two examples) |
| Identifying the issues | Identifying the issues |
| Exploring the issues | Exploring the issues |
| Developing options | Developing options |
| Securing agreement | Securing agreement |

**Case Study Questions**

Please select **three** of the following five questions and write your responses in the box below the question. You may delete the two you do not answer, or put N/A in the relevant box.

1. You are approached by John Smith and Mary Smith who wish to mediate. How would you deal with each of the following circumstances, and why? (40-100 words each)
2. Mary is agoraphobic and suffers from panic attacks. A letter from her doctor confirms this. Mary suggests you mediate at the family home.
3. John has no hearing at all. He tells you he can lip read. Mary says she will help if there are any difficulties.
4. Mary is Turkish and does not speak English. She tells you her sister speaks Turkish and English and suggests her as interpreter. What do you do if John is agreeable to this? What do you do if John is not agreeable to this?
5. Mary wants to bring their nine-year-old son with her to the mediation session, as her childcare arrangements have fallen through.
6. Mary arrives at mediation smelling strongly of alcohol and slurring her speech.

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1. In what circumstances might you assess that mediation is not suitable at the initial meeting (‘intake’) stage of the process? (200-400 words)

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1. When Mary ended her five-year relationship with John by telling him about her long-standing sexual relationship with another woman, John kicked her and beat her up, breaking a rib. This was the single abusive incident in the relationship. John has acknowledged he assault and both wish to mediate, although Mary tells you she feels edgy in John’s company.

What would you want to check before you consider mediating and would you mediate? If so, why would you do so and what precautionary steps might you take in arranging the first joint session (include consideration of shuttle mediation)? If not mediating, why not? (200-400 words)

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1. You are mediating a case where one party appears very emotional, ranging between anger and tearfulness. This party constantly dwells on the past. How would you deal with this situation? (200-400 words)

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1. You are mediating a financial dispute and have asked the parties to complete financial disclosure using your standard forms. Mary brings a carrier bag full of invoices, receipts, statements etc. John presents your financial forms duly completed. Mary insists John is hiding something. John says he is not. How would you deal with this? Summarise any key principles you would explain to John and Mary in relation to financial disclosure. (200-400 words)

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**Reflective account**

Please insert your reflective account here:

**TRAINING AND DEVELOPMENT PLAN**

***PLEASE NOTE THAT ALL SECTIONS OF THIS FORM MUST BE COMPLETED IN CONSULTATION WITH YOUR PPC***

**Your Training and Development Plan must focus, as a minimum, on the areas listed below**. If you undertook a wide range of other activities, you do not need to include them all, but may wish to list any additional training you found useful under Section 1 (D) ‘Other’, and briefly state why they were of benefit to you and your clients.

**Please list below the specific relevant learning you have undertaken with regard to each of Sections 1A – D.**

**SECTION 1. WHAT YOU HAVE ACHIEVED SO FAR:**

|  |  |
| --- | --- |
| **A. EVIDENCE OF TRAINING IN, AND ESSENTIAL UNDERSTANDING OF, THE THEORY AND PRACTICE OF FAMILY MEDIATION.**  Your evidence may include – but is not limited to - evidence of learning from sources such as reading and reflection on key texts, online study, attendance at courses, training, observation, group discussion and PPC attendance. | |
| **Date/s and activity/activities**  *Please complete a row per activity, adding rows as appropriate* | **Relevance of learning to your family mediation practice, including the benefit/s of this training for your work with the parties**  *Please complete a row per activity, adding rows as appropriate* |
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| **B. EVIDENCE OF TRAINING IN, AND ESSENTIAL UNDERSTANDING OF, FAMILY LAW IN RELATION TO (i) and (ii) below.**  Your evidence may include – but is not limited to - evidence of learning from sources such as reading and reflection on key texts, online study, attendance at courses, training, observation, group discussion and PPC attendance. | |
| **(i) Children’s issues in mediation:** | |
| **Date/s and activity/activities**  *Please complete a row per activity, adding rows as appropriate* | **Relevance of learning to your family mediation practice, including the benefit/s of this training for your work with the parties**  *Please complete a row per activity, adding rows as appropriate* |
|  |  |
|  |  |
| **(ii) Property and finance issues in mediation as a result of separation, divorce/dissolution of civil partnerships/TOLATA in the case of co-habitees.** | |
| **Date/s and activity/activities**  *Please complete a row per activity, adding rows as appropriate* | **Relevance of learning to your family mediation practice, including the benefit/s of this training for your work with the parties**  *Please complete a row per activity, adding rows as appropriate* |
|  |  |
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| **C. EVIDENCE OF TRAINING IN, AND ESSENTIAL UNDERSTANDING OF ADDITIONAL FINANCIAL MATTERS INCLUDING: PENSIONS, BENEFITS AND PERSONAL TAXATION.**  Your evidence may include – but is not limited to - evidence of learning from sources such as reading and reflection on key texts, online study, attendance at courses, training, observation, group discussion and PPC attendance. | |
| **Date/s and activity/activities**  *Please complete a row per activity, adding rows as appropriate* | **Relevance of learning to your family mediation practice, including the benefit/s of this training for your work with the parties**  *Please complete a row per activity, adding rows as appropriate* |
|  |  |
|  |  |
| **D. OTHER (if relevant).**  Your evidence may include – but is not limited to - evidence of learning from sources such as reading and reflection on key texts, online study, attendance at courses, training, observation, group discussion and PPC attendance. | |
| **Date/s and activity/activities**  *Please complete a row per activity, adding rows as appropriate* | **Relevance of learning to your family mediation practice, including the benefit/s of this training for your work with the parties**  *Please complete a row per activity, adding rows as appropriate* |
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**SECTION 2. AREAS IN WHICH YOU WOULD BENEFIT FROM FURTHER TRAINING AND DEVELOPMENT:**

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| --- | --- | --- |
| **A. TRAINING IN, AND ESSENTIAL UNDERSTANDING OF, THE THEORY AND PRACTICE OF FAMILY MEDIATION:** *please complete, adding rows as appropriate* | **ACTION TO BE TAKEN:**  *please complete, adding rows as appropriate* | **TIMEFRAME:** *target date(s)* |
|  |  |  |
|  |  |  |
| **B. UNDERSTANDING OF RELEVANT FAMILY LAW IN MEDIATION RELATING TO:**  *please complete, adding rows as appropriate* | **ACTION TO BE TAKEN:**  *please complete, adding rows as appropriate* | **TIMEFRAME:** *target date(s)* |
| **(i) Children’s issues in mediation** |  |  |
|  |  |  |
| **(ii) Property and finance issues in mediation** |  |  |
|  |  |  |
| **C. PENSIONS, BENEFITS AND PERSONAL TAXATION ISSUES IN MEDIATION** | **ACTION TO BE TAKEN:**  *please complete, adding rows as appropriate* | **TIMEFRAME:** *target date(s)* |
|  |  |  |
| **D. OTHER (IF RELEVANT):**  *please complete, adding rows as appropriate* | **ACTION TO BE TAKEN:**  *please complete, adding rows as appropriate* | **TIMEFRAME:** *target date(s)* |
|  |  |  |