

FMSB Meeting

17th July 2019

Approved Minutes

	Open session: Robert Creighton (Chair), Beryl Darling, Ian Hamer, John Hobson, Jane Robey (FMC Observer), Helen Anthony (Executive Officer) present	Action
1.	Introductory	
1.1	Welcome and introductions apologies, declarations of interests	
	The Chair welcomed everyone. Apologies were received from Adrienne Cox, Douglas Morgan and Maja Vojnovic. There were no additional declarations of interests.	
1.2	Approval of minutes of last meeting & matters arising not covered elsewhere	
	<p>The minutes of 15.5.19 were approved.</p> <p>Matters arising:</p> <p>The EO will ensure that a proposal to move the registration process online comes to the FMSB for its meeting in September, and can be considered by the FMC the following week. This should include options for registration, re-accreditation and portfolio submission. The FMSB noted there was no budget for this at present and will be made aware of the budgetary implications at its next meeting.</p> <p>The FMSB discussed the process for electing its Chair. It agreed that the Chair should not be a mediator member of the FMSB.</p>	<p>HA to circulate approved minutes</p> <p>HA to put issue on next FMSB agenda & circulate paper with costs a week in advance</p>
2.	Update reports	
2.1	Chair's report	
	<p>The Chair has spent a significant amount of time since the last meeting driving forward issues that relate to the Standards Review.</p> <p>The Chair attended Resolution's PPC Forum with the EO and took feedback about the progress that is being made on the Standards Review. The PPCs are wholeheartedly supportive of this work.</p>	
2.2	Executive Officer's report	
	<p>The EO clarified that the slight increase in awareness of the Register that has been noticed in the office has come from enquiries from members of the public (e.g. "I've found a mediator 'x' – is he/she on the Register?"). It was also noted that two charities have also contacted the FMC for information about mediation.</p> <p>The FMSB discussed recent correspondence with a community mediation organisation which is offering family mediation but whose family mediators are not registered with the FMC. The FMSB will continue to take a thoughtful approach to its discussions with the organisation, based on the fact that there is no protected title and in the context of organisations from different mediation sectors are starting to working together on common issues (i.e. through the All Mediation Forum). Any communication should focus on standards. The FMSB agreed to try to understand their work and to be clearer on the interface between the work they do and area of mediation which comes within the FMSB's remit.</p>	<p>RC to write to the organisation concerned, and to meet the organisation with HA</p> <p>HA to write to registered mediators who raised the</p>

	<p>The EO will update the registered mediators who raised the original concern about the organisation's work.</p> <p>The FMSB discussed the need to be clear about the scope of Family Mediation and the extent of the FMSB's remit.</p> <p>The FMSB wished to find out the extent to community mediation which is taking place, where this may extend to family mediation. It wished to develop a standard approach to such situations. The MoJ may know more as it is working with local authorities, and the DWP's 'Reducing Parental Conflict' project may also have information about this.</p>	<p>original query to tell them of FMSB's work</p> <p>HA to research extent of community mediation projects which may extend to family mediation</p>
2.3	FMC report	
	<p>The FMSB noted the draft FMC minutes.</p> <p>The FMSB asked for the FMC's draft CAP draft response to be circulated to FMSB for comment.</p> <p>The FMSB noted that the Law Society/Resolution's guidance on the preparation of mediation final documents has been recognised as consistent with the FMC Code of Practice. The FMSB asked the FMC for clarity about the status of this guidance, how universal guidance will be generated and any implication for standards.</p> <p>The FMSB asked for the FMC's note summarising the MO meetings to be circulated to its members for information.</p>	<p>HA to circulate draft CAP response to FMSB</p> <p>RC to ask FMC for clarity</p> <p>HA to circulate note of MO meetings to FMSB</p>
3.	Strategy, planning & governance	
3.1	Governance updates	
	<p>The FMSB noted that it was likely that the FMC will re-advertise for FMSB members, as only one application was received.</p> <p>The Chair will clarify whether a member will be willing to stand for re-appointment next year. If not, there will be two FMSB vacancies available.</p> <p>The FMSB advised that if two members were sought, the advert ought to make this, and the start dates, clear.</p>	<p>RC to talk to FMSB member about term of office</p>
4.	Core Business	
4.1	Registration	
	<p>The FMSB noted the Registration Report. The EO will continue to work with colleagues to ensure the registration process is complete by September's meeting.</p> <p>The FMSB discussed the proposed fit and proper person test. The first two criteria in the test (having the necessary qualifications, skills and experience to carry out the role, and being otherwise competent to carry out the role) are covered by the Standards Framework. If they are not, then the FMSB would recommend the Framework is revised. The FMSB also invited the EO to consider how being 'otherwise competent' can be proved. The EO will review this and report back to the FMSB.</p> <p>The FMSB discussed the third bullet point in the test, being 'of good character'. The FMSB noted that the Professional Standards Authority has published a paper on good character that may help the FMSB answer the questions posed. This will be shared with the FMSB.</p>	<p>HA to continue to work with VO & SW on registration</p> <p>HA to review SF in light of bullet points 1 & 2</p> <p>IH to send HA a copy of PSA paper on good character. HA to circulate to FMSB for comments to be made</p>

	<p>The FMSB will need to consider the point at which this test should be applied, how and when discretion should be exercised, and appeals.</p> <p>The EO will consider the views of the FMSB in light of the Professional Standards Authority paper, reflect on the issues above, and include a revised paper for consideration by the FMSB at its next meeting.</p>	HA to include revised paper for consideration at next FMSB meeting
4.2	<p>Accreditation</p> <p>The FMSB noted the Accreditation Panel report.</p> <p>The EO will clarify the basis in the Standards Framework for mediators to be awarded provisional status, as agreed in the Accreditation Panel meeting.</p> <p>The FMSB agreed that it would ask the FMC to approve a budget for assessor training of £3000.</p>	
4.3	<p>Standards Review</p> <p>Accreditation The FMSB discussed how it could monitor whether the recent changes to the standards had helped mediators and agreed that the assessors would be able to identify whether the recent changes were being relied upon to submit portfolios. The EO will work with the Chief Assessors for both the FMC and the Law Society and agree means by which this can be evaluated.</p> <p>The FMSB was concerned that the Qualitative Analysis risked misrepresenting the survey responses as at least one section appeared to be inaccurate. The FMSB stressed the need to look at the original material when carrying out future work.</p> <p>Structure of Documents Work is underway to restructure the documentation covering standards. The first analysis of existing documents is complete. The FMSB will consider how to take this forward.</p> <p>Complaints See below</p>	<p>HA to liaise with JD & ALC</p> <p>RC & JH to liaise re work on structure of documentation</p>
4.4	<p>Training Panel</p> <p>The FMSB noted the Training Panel Report.</p> <p>The FMSB discussed whether there are trainers who offer family mediation courses who are not registered with FMC and concluded that there are. The FMC website is clear that mediators must attend approved family mediation courses; the FMSB asked that the FMC was asked to discuss this issue at the All Mediation Forum.</p>	HA to ask JT to raise this at AMF
4.5	<p>PPCs</p> <p>The Standards Review highlighted the importance of the role of the PPC in the accreditation process, and made clear that PPCs need to be well trained and supported in order for them to properly support their consultees. The panel lead agreed to consider the remit of the panel to ensure it can take on work to ensure PPCs are ready and well prepared to take on people through the accreditation process.</p>	PPC Panel to look at widening remit to ensure PPCs are supported in taking mediators through the accreditation process
4.6	<p>Complaints</p> <p>There are no current complaints.</p>	

	<p>The Standards Review Governance Panel has agreed that the FMSB's Complaints Panel will take responsibility for reviewing complaints.</p> <p>The approach will be to work with the FMC and MOs to first determine whether we want to have a system where MOs have responsibility for complaints, or not. If the answer is yes, there will be work to do to ensure consistency between systems and clarity on when a complaint comes to the FMSB, and what powers the FMSB has. If the answer is no, and the FMSB takes on responsibility for complaints, it will need to construct a process and work out how this is to be resourced and function.</p> <p>The panel lead reported that he went to the College of Mediators conference session about 'being complained about'. This highlighted the negative effect that a complaint can have on individuals and organisations for which they work, as well as uncertainty between member organisations. It also highlighted the need for and benefits of a therapeutic complaint resolution process.</p>	IH, RC & HA take forward this work with FMC & MOs
5.	Communication	
5.1	Events update	
	The Chair is available to attend the September CoM network event if needed.	HA to liaise with RC
6.	Future meeting dates to note	
	18 September 2019, 13 November 2019	