

FMSB: Temporary Regulatory Amendments Due to Covid-19



The FMC and FMSB understand that these are difficult times for everybody. Clients may be especially anxious and make unusual requests, and many mediators are worried about their businesses and income. Both the FMC and FMSB are taking all the steps they can to support mediators and their work for the foreseeable future.

The FMSB has agreed a number of temporary regulatory amendments in light of the need to minimise proximity with others. These are set out in the table below.

The FMSB has drafted these amendments in light of current information that is available from government and nothing we say is intended to encourage mediators to disregard government advice.

Issue	Detail and response
Carrying out Assessment and Information Meetings and Mediation remotely	On Tuesday, the FMSB sent out a regulatory note about conducting information and assessment meetings and mediation remotely. The FMSB has now produced further guidance which aims to clarify the approach and specifically the circumstances in which voice-only information and assessment meetings can appropriately be conducted. This guidance is available here .
Deadlines for portfolio submission for mediators working towards accreditation	In light of the fact that mediators may be working less and may have other calls on their time, there may be fewer opportunities for mediators to build their portfolios. Portfolio deadlines have therefore been suspended for the duration of the coronavirus crisis. We anticipate that will be at least four months, but may be longer. Nonetheless, we are keen to encourage mediators working towards accreditation to maintain some momentum in the process. Some mediators have told us that finding the time to write up their portfolios can be challenging. Any mediators working towards accreditation who find that cancelled events mean they have time to spare may find it helpful to spend time working on their portfolios, by answering case study questions or writing up a case commentary, for example. We recognise of course that this will not be possible for everyone.
Meeting annual requirements for CPD, PPC time and, for accredited mediators, number of hours of mediation	Whilst the government advises social distancing, the FMSB will waive the ongoing requirements for CPD, PPC time and, for accredited mediators, the number of hours of mediation. Allowances will therefore be made if mediators cannot meet these annual requirements. Mediators due to submit re-accreditation applications should still submit their applications at the scheduled time unless ill or otherwise unable to do so due to caring for others or similar circumstances, in which case the usual provision which allows for an extension of time will apply. If the annual requirements cannot be met due to the coronavirus crisis, this should be stated on the form.

	<p>Mediators are reminded that face-to-face PPC consultations can be by video connection in any event. For the time being, 'face-to-face' PPC consultations can also be via telephone, provided they are individual sessions.</p> <p>Mediators are also reminded that CPD can include reading, webinars etc, though they should be specifically relevant to the mediator's work. The FMC is considering listing online CPD resources on the FMC website as it currently does with courses.</p>
PPC Updating	<p>The Standards require PPCs to attend a PPC updating course every year.</p> <p>Allowances will be made if mediators cannot meet this requirement in 2020, but for the duration of the coronavirus crises mediators will be able to meet this requirement by attending an online course if these are made available.</p>
Training – Foundation Courses and CIM Courses	<p>As these courses are approved by the FMC in a format dependent on attending in person, the FMSB will liaise with the Training Providers to consider any alternative options that the Training Providers might put forward, for training on line, during this period. The FMSB will update mediators in due course, once discussions have taken place with the Training Providers.</p> <p>The FMSB will work with course providers to find a solution where courses have already started.</p>
Training – CIM Update and Awareness & Understanding	<p>The Standards require mediators to attend a CIM Update Day or Awareness and Understanding day.</p> <p>For the duration of the coronavirus crisis, allowances will be made for mediators due to attend these courses, but mediators will also be able to meet this requirement by attending an online course if these are made available.</p>

This is a dynamic situation and if necessary further changes will be considered in due course. Please let us know if you consider that any of our guidance and advice is unclear or impractical, or if you are confronting new issues that have not been addressed here.

Issued by FMSB

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