

## Child Only mediators – accreditation process for All-Issues FMCA



### Mediators accredited for Child Only cases wishing to become accredited for All Issues cases must:

1. Submit, to the FMSB, a training plan which shows they have or will undertake suitable training in financial issues to carry out financial mediation. This training may be the relevant days in an approved family mediation foundation training course, or training specifically aimed at financial issues for family mediators, or other, similar courses. The FMSB will consider the plan and either amend or approve this, and determine at what point the mediator can work on financial cases (this will be after the training has been completed).
2. Complete the following
  - take at least two financial or All Issues cases where there is a substantive financial issue to completion
  - conduct a MIAM on a financial case
  - **either** observe **or** co-mediate in a mediation session conducted by an FMCA mediator and produce an evaluative account of the session
  - Have at least one financial or All Issues mediation session (as opposed to a MIAM) observed by their PPC (which must not be a session co-mediated with the PPC)
3. Submit a reduced portfolio for assessment containing
  - completed (reduced) table of competencies – see below
  - two financial or All Issues case commentaries
  - produce an evaluative account of the session
  - PPC notes from observation
  - A reflective account (750 – 1000 words)
  - If an “all issues” case is not being submitted, he or she **must** include in his or her reflective account either a reflection on one or more “all issues” mediation/s he or she has undertaken (but not concluded) or, if none have been undertaken, reflection on the issues that do need to be addressed in an “all issues” case. The mediator is expected to demonstrate an understanding of the issues that arise when dealing with both children and financial issues together
  - the training plan approved by the FMSB and how this has been followed
  - A plan for training and development activities from which you would benefit **in the short and longer term** highlighting areas to be covered, action to be taken to meet the need and target dates in relation to:
    - The theory and practice of family mediation

- The law as it relates to children’s issues in mediation
- The law as it relates to property and finance issues in mediation
- Other financial matters to include pensions, benefits and personal taxation
- Any other training that is planned
- A case study question from the All Issues template which covers both financial and children issues

	<b>FMC Competence</b>	<b>What are we looking for?</b>	<b>Where might the evidence be found?</b>
<b>SECTION B: PROFESSIONALISM AND ETHICS</b>			
<b>B2 should stay in</b>			
<b>B2</b>	<b>Maintain the ability to practise competently and ethically</b>		
B2.1	Maintaining an adequate and up-to-date understanding of legislation, policy developments, research and practice relating to the field of family mediation		T & DP
B2.2	Maintaining an adequate level of support from a Professional Practice Consultant (PPC)		PPC Statement
B2.3	Taking responsibility for personal learning and development, including identifying areas for development, acting to meet learning objectives and learning from practice		T & DP
<b>SECTION C: MEDIATION PRACTICE</b>			
<b>C1</b>	<b>Provide appropriate information to participants (includes C5 competence standards)</b>		
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	Description of mediator process and/or self-reflection	Case commentary (MIAM)
C1.2	Providing information about family law and its processes	Description of mediator process and/or self-reflection	Case commentary (MIAM)

C1.3	Understanding and providing unbiased information about other relevant means of family dispute resolution	Description of mediator process and/or self-reflection	Case commentary (MIAM)
C1.4	Providing information about sources of assistance for parents, children and families and signposting as appropriate	Description of mediator process and/or self-reflection <b>OR</b> Case examples	Case commentary (MIAM) Reflective account
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	Description of mediator process and/or self-reflection <b>OR</b> Case examples	Case commentary (MIAM) Reflective account
<b>C3</b>	<b>Check eligibility for financial support</b>		
C3.1	Identifying any public or other funding available and carrying out and recording financial checks for eligibility (capital and income) for onward signposting to an appropriate provider	PPC confirmation of ability	PPC statement MIAM record and means assessment
<b>C7</b>	<b>Use effective skills and interventions during the mediation process</b>		
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	Description of mediator process and/or self-reflection	Case commentary
C7.2	Understanding and using appropriately different ways of bringing the perspective of children and young	Description of mediator process and/or self-reflection	Case commentary

	people into the mediation process		
<b>C8</b>	<b>Maintain progress towards resolving issues</b>		
C8.1	Managing the discussion of matters in a way that facilitates effective progress	Description of mediator process and/or self-reflection	Case commentary
C8.2	Managing effective financial disclosure	Description of mediator process and/or self-reflection	Case commentary
C8.3	Facilitating participants' lateral thinking, problem solving and option development	Description of mediator process and/or self-reflection	Case commentary
C8.4	Understanding and using appropriate techniques for dealing with conflict, power imbalance and impasse to avoid detriment to either participant	Description of mediator process and/or self-reflection <b>OR</b> Case example <b>OR</b> Applying learning to practice	Case commentary  Reflective account T&DP
C8.5	Managing strong emotions and conflict sufficiently to allow the mediation process to move forward	Description of process and/or self-reflection <b>OR</b> Case example <b>OR</b> Applying learning to practice	Case commentary  Reflective account T&DP
<b>C9</b>	<b>Produce an appropriate and agreed outcome statement</b>		
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)	Description of mediator process and/or self-reflection <b>AND</b> Written evidence	Case commentary <b>AND</b> MOU, OFS, other outcome statement
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	Written evidence	MOU/other outcome statement & OFS

C9.5	Drafting financial settlements capable of legal implementation where appropriate and in accord with current legislation	Written record	MOU & OFS
<b>C10</b>	<b>Record decisions and maintain participant files</b>		
C10.1	Recording assessment as to the suitability of mediation	Written record	Assessment meeting record
C10.2	Recording participant's agreement to mediation including any ground rules that are established	Written record	Assessment meeting record <b>AND/OR</b> Agreement to Mediate <b>AND/OR</b> other written evidence, e.g. correspondence
C10.3	Recording the location, timetable and practicalities of mediation	Written record	Assessment meeting record <b>OR</b> other written evidence, e.g. correspondence
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	Written record	Session record(s) <b>AND</b> session summaries <b>OR</b> other written evidence, e.g. client correspondence