



FMC Board Meeting
Wednesday 4th December 2019
Approved Minutes

John Taylor, FMC Chair
 Allan Blake
 Caroline Bowden - Law Society
 Ewan Malcolm - College of Mediators
 Jane Robey – NFM
 Dan Ronson
 Beverley Sayers - FMA
 Jane Wilson - Resolution
 Robert Creighton, FMSB Chair
 Martin Hau – MoJ (from item 2.3 onwards)
 Katie Kelly – MoJ
 Helen Anthony, Executive Officer

Open Session – FMC Board Members and observers		
1.	STANDING ITEMS	Action
1.1	Welcome, introductions, apologies	
	<p>The board welcomed Katie Kelly who has joined the MoJ and will be working with the FMC.</p> <p>Apologies had been received from Claire Webb (FJC observer).</p>	
1.2	Approval of draft minutes, matters arising	
	<p>The minutes of the meeting held on 24.9.19 were approved.</p> <p>The board noted that the item that Resolution had requested on the agenda for this meeting (Assessment and Information Meetings) could be considered at the next board meeting, but that Resolution was reconsidering its request to the FMC and may not want to include this at present.</p> <p>The board noted that progress was being made in recruiting new mediator members for the FMSB but that the Executive Officer had not yet been able to progress the recruitment of an independent member.</p>	<p>HA to publish and circulate approved minutes</p> <p>HA to progress recruitment of independent FMSB member</p>

2.	Reports	
2.1	Financial Report & Risk Register	
	<p>The board noted the projected outturn for 2019 was close to budgeted figures which offered assurance that the budgeting process was sound. The board noted that reserves had been built over previous years which allows the FMC to spend money on projects it identifies as necessary to help it achieve its objectives.</p> <p>The board asked whether the FMSB needed more administrative support. The secretariat has made some changes to its team's working arrangements to provide more support at the same cost to the FMC, so no further support is needed at present.</p> <p>The board thanked the Executive Officer for keeping the secretariat's costs to a minimum and for good management of the budget.</p> <p>The board noted the updated Risk Register and agreed that the biggest risk to its budget for 2020 remained that mediators may choose not to register. The board believed that this risk had been minimised by the actions that the FMC and FMSB had taken to encourage registration, and emphasise the importance of this to the profession.</p>	
2.2	Executive Officer Report	
	<p>The board noted the Executive Officer's report.</p> <p>The board noted the distribution of mediators around the country, and requested that this be mapped against population figures. The Executive Officer will look in to this.</p> <p>The board agreed that an additional member of the secretariat should be added as an online user to the FMC's bank account subject to limits on the amount of payments that can be made.</p> <p>Board members were asked to send any comments they had on the Draft Best Practice Guidance on Domestic Violence and the Mayson Review to the Executive Officer by 6th December.</p> <p>The board noted that there had been a reasonable response to the FMC's survey. The Executive Officer will send a reminder to mediators about the survey and extend the deadline for completion by a week.</p>	<p>HA to map mediators against population figures</p> <p>HA to add user to bank account</p> <p>Board members to send comments to HA</p> <p>HA to send reminder to mediators to complete FMC survey</p>

2.3	FMSB Report	
	<p>The board noted the minutes of the FMSB meeting held on 18.9.19 and the draft minutes from the FMSB meeting held on 13.11.19.</p> <p>The FMSB asked for work on End of Mediation Documentation to be considered a priority in 2020. This will be discussed at the FMC & FMSB’s forthcoming joint meeting, as will the way the two organisations work together.</p> <p>The board noted the FMSB request for an FMC conference to help promote unity in the profession and help mediators understand the FMC. The FMC agreed that a conference would help promote unity, but had concerns about the content of an event and believed that planned mediator receptions in 2020 would help mediators gain a better understanding of the FMC. MH indicated that he would be happy to ask for the new Minister to speak at an event, perhaps launching the revised standards. MH noted that the MoJ investment in the regulation of family mediators was a success story, as it had enabled professional standards to become embedded among family mediators.</p> <p>The board noted that including more information about how the board worked in an FMC newsletter may help demystify the FMC and its work.</p> <p>The board noted progress on the Standards Review. The re-organisation of the documentation - to make it more useful – was continuing. Work on the complaints process will also continue in the new year. The review of the accreditation process had made good progress, with the ‘quick fixes’ nearly complete. Anecdotal feedback about these changes had been positive and mechanisms have been put in place to monitor these changes next year. The review now needs to consider the more strategic questions, particularly about MIAMs and what training should be required before these can be carried out and whether the accreditation system is designed to accredit the appropriate scope of mediation. The board agreed to discuss how to approach these questions at the joint FMC FMSB meeting in the new year.</p> <p>The board noted that the Chair of the FMSB and the Executive Officer had visited Mediation Hertfordshire, a community-based mediation organisation which uses volunteer mediators and that a position paper which sets</p>	<p>MH to ask new Minister to speak to family mediators at an event promoting standards</p> <p>HA to consider what can be included in FMC newsletter to demystify its work</p>

	<p>out how the FMC interacts with volunteer organisations would help the FMC take a consistent approach with similar organisations.</p>	
2.4	MoJ Report	
	<p>Martin Hau introduced Katie Kelly, who is new to the Private Family Law Reform team at the Ministry of Justice.</p> <p>The board noted that with the General Election approaching, civil servants have been studying the parties' manifestos to identify any likely courses of action when the new government is in place.</p> <p>Irrespective of the party in government, MH will make the new Minister aware of the issues that the family justice system is facing and make the case that these need to be tackled quickly. MH has some statistics which show the length of time that cases take to be resolved and will share this with the FMC if they are publicly available.</p> <p>The board noted that the Private Law Working Party is likely to report as part of the Child Arrangements Programme Review in March.</p>	<p>MH will share statistics with FMC if information is public</p>
3.	Items to discuss	
3.1	Marketing	
	<p><i>Marketing Assistant</i></p> <p>The board approved Richard Wyatt's marketing proposal, confirming that the proposed training of mediators should happen in April. The board noted the importance of making sure that the FMC had control over the content of articles and messages. It was agreed that material should be sent to all board members and, if four agree that the message was accurate and didn't risk damaging the FMC's reputation, it can be posted.</p> <p>The Executive Officer will ask RW to ensure that negative comments cannot be posted in response to the FMC's material, and whether an Instagram account should be set up to carry the same material as appears elsewhere.</p> <p><i>Family Mediation Week</i></p> <p>JR & EM volunteered to be interviewed for Family Mediation Week. All MOs noted that they had been invited to contribute to the week. KK agreed to investigate what support the MoJ and Minister could offer.</p>	<p>HA to liaise with RW</p> <p>HA to arrange interview. MO directors to consider contributing to FMW. KK to investigate what support MoJ can offer for FMW.</p>

3.2	Online registration	
	<p>The board noted that the Executive Officer had spoken to Paul Player, NFM's IT specialist who has experience as a technical architect, about moving the FMC registration process online. PP confirmed that the FMC's had taken a good approach to the project so far. He recommended that the FMC obtain more estimates, and look at some of the online solutions which can be tailored to suit the FMC's needs, though he noted a potential concern about being tied to a provider if this approach was adopted. The board suggested that the FMC also approaches universities, and a board member will forward details of a person who may be able provide an estimate for the work.</p> <p>PP is willing to act as consultant, helping the FMC to consider the best way forward and meeting the person who will develop the online process to be sure it meets the FMC's needs. The FMC agreed to a budget of up to £250 for PP's advice, in the first instance.</p> <p>The board asked what the ongoing costs of maintaining an online system will be. This depends on which model the FMC adopts: if a specific process is developed for the FMC website, there will be ongoing hosting costs which will be relatively low. If the FMC adopts a membership system, there will be a higher ongoing subscription but the upfront costs will be lower.</p> <p>The FMC noted that a further phase would be to develop the website to allow online submission of portfolios. The cost of this is not included in estimates.</p> <p>The Executive Officer will carry out more development work with a view to making a recommendation on how to proceed in spring 2020 and the system being brought online later in the year.</p>	
3.3	Equality & Diversity Policy	
	<p>The board reviewed the FMC's Equality and Diversity Policy and agreed it did not require changing.</p> <p>The board agreed to introduced a framework in which the principles set out in the Equality and Diversity Policy can be considered when it makes decisions, so it can ensure the policy is reflected in practise.</p> <p>The board agreed to establish a working party to actively encourage diversity in the family mediation profession. EM</p>	<p>HA to write framework setting out how principles should be considered when decisions are made</p>

	will sit on this. HA will include a request for volunteers to sit on this through the FMC's newsletter. It was suggested that once the working group is established that it considers asking non-family mediators to join the group and help in its work.	HA to include call for volunteers in newsletter
3.4	CAP Review	
	The board noted the summary of the responses to the CAP review.	
3.5	Update from stakeholder meetings	
	<p>The board noted that meetings with MoJ/HMCTS and CAFCASS had been positive, had led to an invitation for board members to speak to CAFCASS advisers. The FMC will look to continue to strengthen these relationships.</p> <p>The FMC's had made a case to the LAA and the MoJ's Legal Aid policy team for additional funding for the development of OFS and for CIM. The MoJ has said that it cannot make a decision about these at present. The board noted that while this was frustrating, the MoJ has not rejected the idea.</p> <p>The board noted that CAFCASS Cymru had started an extensive and long statistical analysis project along with two local universities as part of the Family Justice Observatory. Their work covers the whole of the UK. The initial work wasn't relevant to family mediation, but future work may be.</p> <p>The Chair of the FMC and the Executive Officer had attended the second meeting of the All Mediation Forum. All parties continue to want to work together and are looking at joint opportunities to work with government, promote mediation and obtain discounts for mediators. The forum also discussed whether it would be possible to agree common base standards for all mediators.</p> <p>Exeter University has asked the FMC and the FMSB to participate in some research about Child Inclusive Mediation. The FMC agreed to this.</p> <p>The FMC has been asked to support a PHD research project. The title and synopsis will be circulated to the board and a decision made remotely.</p>	BS to circulate PHD title and proposal to board members
4.	Governance	
4.1	Approval of Budget	
	The draft budget for 2020 was approved.	

4.2	2020 Timetable	
	<p>The joint FMC/FMSB meeting will take place on 11.2.20 in London. JW will be the FMC observer for that afternoon's FMSB meeting.</p> <p>The board discussed the difficulties that some directors would have in attending board meetings if they are moved around the country. The Executive Officer will amend the timetable so that two board meetings a year are in London, and two meetings take place out of London in places where it might be easy to travel to by train. The board may organise up to two receptions for mediators a year at different locations around the country with a view to local directors and those able to travel attending, but attendance would not be expected from those where the travel demands are excessive. The board also discussed making arrangements for directors to join board meetings (or part of meetings) that they can't travel to by video conference.</p>	HA to revise 2020 plan
5.	ITEMS AND PAPERS FOR INFORMATION	
5.1	<p>2020 FMC Board Dates: Joint FMC FMSB Meeting – 11 February</p> <p>4 March, 4 June, 9 September, 2 December (tbc)</p>	