



FMC Board Meeting

4th March 2020

Approved Minutes

Present: John Taylor (FMC Chair), Allan Blake, Caroline Bowden (Law Society), Ewan Malcolm (College of Mediators), Dan Ronson, Beverley Sayers (FMA), Jane Wilson (Resolution),

Also In attendance: Helen Anthony (Executive Officer)

Open Session – FMC Board Members and Representatives		
1.	STANDING ITEMS	Actions
1.1	Welcome, introductions, apologies	
	<p>The Chair welcomed everybody.</p> <p>Apologies had been received from Jane Robey (NFM), Robert Creighton (FMSB Representative) and Katie Kelly (MoJ Representative).</p>	
1.2	Approval of draft minutes, matters arising	
	<p>The minutes of the FMC Board Meeting held on 4.12.19 and the joint FMC FMSB Meeting held on 11.2.20 were approved.</p> <p>The board noted that interviews for mediator members for the FMSB had been held, and that the recruitment panel was impressed to have had so many excellent applications. Two appointments have been made, subject to references.</p>	<p>HA to publish approved minutes of FMC meeting 4.12.19 and, pending FMSB approval, the joint meeting 11.2.20.</p>
2.	Reports	
2.1	Financial Report & Risk Register	
	<p>The board noted the FMC's income and expenditure for 2019 was broadly as expected.</p> <p>The board noted the updated risk register. The board agreed that it should review its reserves policy later in the year, in order to consider whether to increase its reserves to guard against a sudden loss of income which may occur if a number of mediators left the register in the unlikely event of an FMC Membership Organisation withdrawing from the FMC. The board also agreed to consider what other mitigation could be taken in such circumstances and noted that MOs could request additional meetings with the FMC throughout</p>	

	<p>the year, if they were concerned about any aspect of the FMC's policy or their membership of the FMC.</p> <p>The Chair will assist the Executive Officer in reviewing the risk register before board meetings.</p>	<p>JT to review risk register with HA before board meetings</p>
2.2	<p>Executive Officer Report</p>	
	<p>The board noted the Executive Officer's report, which included the results of the FMC 2019 Survey.</p> <p>The board noted that compared to 2017, the survey showed:</p> <ul style="list-style-type: none"> - that the number of mediations had remained consistent; - success rates were fairly similar although there had been a slight increase in proposals agreed and written up; - although the number of CIM mediations that were taking place remained low, there had been a significant increase in the proportion of cases where CIM was taking place. <p>The Executive Officer will provide a more detailed comparison of the two surveys.</p> <p>The board noted that the annual registration process was going well. MO Directors agreed to ask their organisation to include a reminder in newsletters/other correspondence to remind mediators to let the FMC know if their contact details change.</p> <p>The board agreed that it may need to spend money not included in the current budget in order that the FMSB can translate part of a portfolio that may be submitted in Welsh.</p> <p>The board agreed to support calls for an increase to LAA payments to mediators. It noted that its current approach was to call specifically for separate payments for CIM and drafting an OFS, as well as for an increase in rates more generally.</p> <p>The board noted a member of the public had written to the FMC asking it to write to the Solicitors' Regulation Authority and Bar Tribunal and Adjudication Service to express its dismay about decisions it reached in respect of barrister who read out in court details of discussions</p>	<p>HA to compare 2017 & 2019 surveys</p> <p>MO directors to ask MO to include a reminder in newsletters to let FMC know if their contact details change</p> <p>HA to write to SRA, BSB, and appropriate body re judges, magistrates and legal advisers</p>

	<p>had in mediation, and the solicitor who provided this information to the barrister. The board agreed that it could not do so, but could write to the SRA and BSB to ask them to issue a regulatory note to all members reminding them that mediation is a confidential process in order to try to prevent such breaches of confidentiality happening in future. It also agreed to ask that judges, magistrates and legal advisers should be sent similar reminders.</p> <p>The board agreed that it would be valuable to have a statement made by a magistrate or judge outlining what orders may be made by the court should an issue come before them, to help manage the expectations of people issuing cases. The FMC will suggest this to the PLWG's Family Solutions Sub-Group.</p>	DR to outline suggestion to board; BS to suggest to PLWG Family Solutions Sub-Group
2.3	FMSB Report	
	The board noted the draft minutes of the FMSB Meeting which took place on 11.2.20.	
3.	Items to discuss	
3.1	Strategy 2020/2021	
	<p>The board agreed the amended Strategy for 2020/21.</p> <p>The board noted that the FMSB would be updating its business plan before its next meeting, which would reflect the strategy and include a more detailed breakdown of its work.</p> <p>Board members had been sent an amended review of the 18/19 strategy, which was due to be published, and were reminded that any comments on this should be sent to the Executive Officer by 18.3.20.</p>	Board members to send any comments on 2018/19 Strategy Review to HA by 18.3.20
3.2	Marketing	
	<p>Facebook Trial/Google Analytics</p> <p>The board noted the results of the Facebook trial. This showed that a very small proportion of those the Facebook messages reached clicked on the link to the FMC website, that local messages saw a greater uptake than the national ones and that the average cost of each visitor to the website through the adverts was £0.57.</p> <p>The marketing consultant noted that visits to the FMC website were significantly higher than in the same weeks in January 2020 than in January 2019, which</p>	

could be due to a number of factors. The FMC Find a Mediator webpage has seen a general increase in users since September 2019.

The Executive Officer will use Google analytics to trace the journey of those who visited the FMC site as a result of clicking through from Facebook, to see if there is an identifiable reason for the increase of site users since September 2019 and to speak to mediators in the Bath and Manchester areas to see if they saw an increase in enquiries/mediations.

The board noted the marketing consultant's recommendation about repeating the Facebook trial after Easter or in September, and agreed it would consider at its next meeting whether it should repeat the exercise in September or try an alternative such as Google Ad Words which might enable more specific targeting or marketing. To maximise the effect of this the FMC may need to do some more work to identify its market.

Website Amendments

The board noted the marketing consultant's recommendation that the board considered re-writing the page on exemptions so that it is more positive and agreed it should do this. The Executive Officer will consider appropriate amendments.

Marketing Training for Mediators

The board asked whether the training that it had asked the consultant to deliver could be delivered online (with the potential for it to be retained and viewed at mediators' convenience).

Mediation Alerts

As agreed, the Executive Officer has subscribed to an alert system which notifies her when 'mediation' or the 'Family Mediation Council' are mentioned on a number of public news sites, social media platforms and fora. This showed that the Daily Mail recently referred to the FMC Find A Mediator search, and that people regularly ask questions about mediation on Mumsnet. Mumsnet has an 'ask the professionals' page. The Executive Officer will find out more about this, with a view to asking mediators to volunteer to monitor this for a week at a time.

HA to work on Google analytics

HA to ask mediators in the Bath and Manchester areas to see if they saw an increase in enquiries/mediations

HA to put on agenda for next meeting

HA to consider appropriate amendments to MIAMs page

HA to speak to RW

HA to explore Mumsnet possibilities

	<p>Family Mediation Week</p> <p>The board noted the positive impact that Family Mediation Week had in terms raising the profile family mediation, particularly on social media. The number of visits to the FMC website spiked on the Wednesday of Family Mediation Week, with a significant increase of users that day.</p> <p>FMW was supported by directors from all its MOs, and by the MoJ and its various agencies.</p> <p>FMA currently organises FMW and has asked the FMC if it would be interested in taking on the organisation of this. The board agreed that the FMC could take on the organisation of FMW in order to encourage all family mediators to become involved. The Chair will speak to FMA about this.</p> <p>The board noted it would need to rely on volunteers to organise FMW if it took it on, and so would set up a working party specifically to do this. The Executive Officers will speak to the current organisers of FMW to ensure their excellent work in building a successful format is not lost.</p> <p>Reporting to Mediators</p> <p>The Executive Officer will include items on marketing and Family Mediation Week in the next FMC newsletter and ask mediators to contact the FMC if they noticed an increase in referrals.</p>	<p>JT to speak to FMA</p> <p>(Depending on above) HA to speak to organisers & set up working group</p> <p>HA to include items on Facebook trial and FMW in next newsletter</p>
<p>3.4</p>	<p>Online registration</p>	
	<p>The board noted that the Executive Officer had planned to carry out work on the online registration process between March and May, and so would report on this at the next FMC board meeting.</p>	
<p>3.5</p>	<p>Divorce Bill</p>	
	<p>The FMC welcomed the Government’s announcement in the House of Lords (during the Lords Committee stage of the Divorce, Dissolution and Separation Bill) that it supported the early use of mediation and would use the online divorce system to signpost people to mediation. The board agreed to write to the Minister to say it welcomed the announcement, and to offer support in ensuring clear signposting in the online system. The next FMC newsletter will include an item about this.</p>	<p>HA to refer to Divorce Bill work and Government announcement in FMC newsletter</p>

	<p>The FMC discussed some changes that should be made to the process for a no-fault and online divorce. It agreed not to ask for amendments to the Bill before parliament as this risked the Bill not being passed, but to continue to argue for improvements to the process.</p>	
3.6	Update from stakeholder meetings	
	<p>Private Law Working Group</p> <p>The board noted the work of the President of the Family Division's Private Law Working Group Family Solutions Sub-Group. BS had been asked to sit on this as a member of the FMSB. Adrienne Cox had also been asked to sit on this as a member of the FMSB, and CB also sits on this as a representative for the Law Society. It is focussed on looking at the skills required to assess appropriate forms of dispute resolution, and the content of an assessment meeting.</p> <p>The board noted that it had asked to meet the President of the Family Division to discuss end of mediation documentation in relation to finances (as documentation for children's cases was being addressed as part of the CAP review) and had been told that this would be considered as part of the CAP review. However, the PLWG was not considering this and so the board agreed that it would again request a meeting with the President to discuss this.</p>	<p>HA to ask President of Family Division for meeting</p>
3.7	Observers from MOs	
	<p>The board discussed whether it would be helpful and appropriate for MO directors to invite colleagues to observe FMC meetings to help their understanding of the way the FMC worked. The board did not think that this would be an effective way to achieve this aim, and instead stressed that FMC directors including the Chair, would be happy to meet MO representatives, as would the Executive Officer. The board was reminded that members of the FMC and the FMSB were also happy to speak at conferences/training events; any invitations for members of either body to speak should be sent to the Executive Officer.</p>	
4.	ITEMS AND PAPERS FOR INFORMATION	
4.1	2020 FMC Board Dates	
	<p>4 June – potentially in Leeds 9 September – London 2 December – potentially in Bristol</p>	

	<p>The board agreed to invite mediators to meet them after each of these board meetings, with the following format: 1.30pm – 4.30 pm – FMC board meeting 4.30 – 5.00pm – break 5.00 – 5.30pm – Mediators arrive – tea/coffee 5.30 – 6.30pm – Discussion with mediators</p> <p>The Executive Officers will confirm these arrangements as soon as possible.</p>	<p>HA to confirm meeting arrangements</p>
5.	AOB	
	<p>The board noted that the meeting was likely to be Ewan Malcolm’s last as an FMC Director, as his term as a board member for the College of Mediators was ending. The board thanked him for his hard work and for his significant contributions to the FMC work.</p>	