



FMC Board Meeting
Thursday 4th June 2020

Approved Minutes

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

Also In attendance: Liz Yates (on behalf of NFM), Robert Creighton (FMSB Representative), Claire Webb (FJC Representative), Helen Anthony (Executive Officer)

Open Session		
1.	STANDING ITEMS	Action
1.1	Welcome, introductions, apologies	
	<p>The Chair welcomed everyone, including Paulette Morris who had now formally taken up her role as FMC Director, nominated by the College of Mediators.</p> <p>Apologies had been received from Jane Robey (NFM) and Katie Kelly (MoJ Representative).</p>	
1.2	Approval of draft minutes, matters arising	
	The minutes of the meeting held on 4.3.20 were approved.	HA to circulate & publish approved minutes of 4.3.20
2.	Reports	
2.1	Financial Report & Risk Register	
	<p>The board noted that income and expenditure was broadly as expected for this time of year. An early overspend on meeting rooms which was offset by less travel costs being incurred due to the coronavirus pandemic. The board noted that adding the 'online mediation' function to the Find A Mediator Search had resulted in the budgeted-for IT support being used up early in the year, and more IT support may need to be purchased later. The board asked the Executive Officer to include a predicted outturn for year, for September's meeting.</p> <p>The board noted the updated risk register. It agreed to add not properly ensuring standards for safeguarding, particularly in relation to online mediation, to the register (see FMSB report below).</p>	HA to include predicted outturn in September's financial report

	<p>The board noted that a government grant had been made to Lawtech, to encourage online dispute resolution. The board agreed it should investigate whether this could help family mediators operating online.</p>	<p>HA to look in to Lawtech grant</p>
2.2	Executive Officer Report	
	<p>The board noted the Executive Officer's report.</p> <p>The Executive Officer reported that the PLWG's harm panel was due to publish its report, which may discourage the use of mediation where there had been domestic abuse within a family. The directors noted the need for more up to date research in this area.</p> <p>The board agreed that the Executive Officer should include links on its website to other relevant sites, including those offering affordable legal advice.</p> <p>MO directors noted that free training in gambling issues affecting separating families may be available.</p>	<p>HA to update website to include links</p>
2.3	FMSB Report	
	<p>The board noted the draft minutes of the FMSB meeting held on 13.5.20.</p> <p>The board noted that Adrienne Cox was stepping down from the FMSB after the July board meeting. The board thanked Adrienne for the very significant contribution she had made to the FMSB since it was formed in 2015. The board asked the FMSB Chair to buy a small gift to say thank you.</p> <p>Having recognised that there was a particular risk in not ensuring proper standards in place for safeguarding, particularly in an online environment, and recognising that maintaining and updating safeguarding knowledge and skills is not specifically provided for in the Standards Framework, the board asked the FMSB to consider and make recommendations about CPD for safeguarding, including online work, and child inclusive mediation online work.</p> <p>The board welcomed the work that the FMSB had done to start to put in place the working group to look at standards for MIAMs.</p> <p>The board noted that work to review the accreditation process had been delayed by the need to deal with coronavirus-related issues. The work on MIAMs standards will help with challenging issue of who should be eligible to conduct MIAMs, which members of the working group had different views on. The</p>	

	<p>FMSB Chair was considering what areas of work the Standards Review Accreditation Working Group can progress in the meantime.</p> <p>The board noted that the FMSB was continuing to reconstruct the standards in a way that would make it easier to identify priorities.</p>	
3.	Items to discuss	
3.1	Proposals made to MoJ	
	<p>The board noted that it had not yet had an initial response from the MoJ about its proposals for the MoJ to pay for all MIAMs, for better gatekeeping and a closer relationship with courts, and for an online duty mediator scheme. The Executive Officer was expecting initial feedback the following week.</p> <p>The board noted some of the actions to promote the proposals had been implemented, and others would be implemented in the following week.</p> <p>The FJC representative will try to put the FMC in contact with mediator representatives on Local Family Justice Boards, and will pass the proposals to the FJC.</p> <p>The board agreed to ask the MoJ for a meeting to discuss the proposals.</p>	<p>HA to implement remaining actions to promote proposals</p> <p>CW to put FMC in contact with LFJBs</p> <p>HA to arrange meeting with MoJ for AB, BS & HA</p>
	Break	
3.2	Marketing	
	<p>The board noted that Richard Wyatt, the FMC's marketing consultant, had confirmed he could deliver marketing training for mediators online but that this would require some additional preparation. The board noted the need to confirm the cost of this before confirming this arrangement, but also noted that the cost would in part be offset by not paying his travel expenses on the day.</p> <p>The board noted that the Executive Officer had carried out some research in to Google Ads, which may be more cost effective than Facebook advertising, but that any return on investment was difficult to carry out at the FMC did not receive any business in return from the advertising.</p> <p>The board approved the publication of two press releases over the following weeks: one to promote the fact that mediation was available online; and one to promote the FMC's recent</p>	<p>HA to confirm cost with RW</p> <p>HA to continue marketing research</p> <p>HA to draft press releases; JT to approve</p>

	proposals. The Executive Officer will draft these releases, which will be approved by the Chair before publication.	
3.3	LAA Update	
	<p>The board noted the draft minutes of the FMC meeting with the LAA, and the LAA flexible approach whilst 'lockdown' is in place. The board agreed it was important to ensure the LAA made its auditors aware of the changes in procedure that it was allowing, and was clear about when rules applied (for example making it clear that rules on signatures applied from 23 March), and asked the Executive Officer to arrange a follow up meeting.</p> <p>The FMC had not yet heard from the MoJ about its proposal for funding organisations with Legal Aid contracts to ensure they were able to continue in business. Some contract managers have however been approaching organisations and asking if they want to switch to standard monthly payments. The Executive Officer will let legal aid practitioners know this and suggest they contact their contract managers to discuss this if it is of interest.</p> <p>The board noted that the LAA's blanket exemption allowing for 100% of applications for legal aid to be made remotely (instead of the usual 25%) would be reviewed at an unspecified point, and agreed it was important to be aware of this.</p>	<p>HA to arrange meeting with LAA</p> <p>HA to let mediators know that SMP may be available</p>
3.4	All Mediation Forum	
	The Chair reported that there had now been three meetings of the All Mediation Forum. It is currently focussed on identifying common elements of a Code of Conduct/Practice across different practice areas, and working on proposals for the scope of the work of forum. The board welcomed this work.	
3.5	Priorities for 2020/2021	
	<p>The FMC agreed that it would add to its strategy for 2020/1:</p> <ul style="list-style-type: none"> - Lobbying for its recent proposals to be adopted - Progress the work of the AMF - CPD for safeguarding in mediation - Working with the FJC <p>The board noted that work on coronavirus related issues had meant the Executive Officer had been unable to proceed with some other work, including that on online registration. It agreed it was important to proceed with the work on online registration if at all possible, in order to improve efficiency.</p>	HA to update strategy document
4.	ITEMS AND PAPERS FOR INFORMATION	
4.1	2020 FMC Board Dates:	

	9 September – Online 2 December – Online or Fleet Street – TBC	
5.	AOB	
	The Family Solutions Sub Group of the FMSB had asked the FMC to consider a proposed revised court form, MIAMs information sheet, and new 'specific circumstances' (old 'exemptions'). Directors agreed to send comments on this to the Executive Officer by 20 June, for HA to draft a response which can be seen by board and submitted to FSSG by 30 June.	All directors to send comments to HA HA to draft response, send to board and submit to FSSG