

## FMSB Meeting

Wednesday 8<sup>th</sup> July 2020

Via video conference

### Approved Minutes

**Present:** Robert Creighton (Chair), Adrienne Cox, Beryl Darling, Ian Hamer, John Hobson, Sarah-Jane Turnbull, Alexis Walker

**Also in attendance:** Jane Wilson (FMC Representative), Helen Anthony (Executive Officer)

|           | Part 1 - Open session   | Action   |
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| <b>1.</b> | <b>Introductory</b>   |  |
| 1.1       | Welcome and introductions apologies, declarations of interests  |  |
|           | <p>The Chair welcomed everyone.</p> <p>The FMSB noted that this would be Adrienne Cox's last meeting, as her five-year term was ending. The Chair warmly thanked Adrienne for her significant contribution to the work of the FMSB since its inception.</p>   |  |
| 1.2       | Approval of minutes of last meeting & matters arising not covered elsewhere   |  |
|           | <p>The minutes of the meeting held on 13.5.20 were approved.</p> <p>The FMSB noted that the work to confirm the CIM position with mediators had started, as had work to obtain a geographical breakdown and statistics about mediator progression.</p> <p>The FMSB has not heard from the Law Society about exchanging assessors' guidance. The Executive Officer will write to the Law Society, to say it would like to publish this within a month, and ask to exchange guidance before this.</p> | HA to work with Law Society re Assessors' Guidance   |
| <b>2.</b> | <b>Reports</b>  |  |
| 2.1       | Executive Officer's Report  |  |
|           | <p>The FMSB noted the Executive Officer's report, and in particular the work that had happened to verify the information held on the FMC Register with FMC Membership Organisations and PPCs. The FMSB emphasised the importance of the work to allow registration to take place online, and asked the Executive Officer to prioritise work on this.</p>  |  |
| 2.3       | MoJ Report  |  |
|           | <p>The MoJ had published its report in to assessing risk of harm, which has been well received. The report recommends an overhaul of the family courts, and the government has published an implementation plan to try to make the necessary changes to bring this about. There has been no policy change in relation to mediation. The FMSB warmly welcomed the report.</p>  | HA to send link to harm panel report to FMSB members |

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|           | <p>The FMSB welcomed the MoJ's positive response to the FMC's proposals about funded MIAMs, closer working with the courts, and an online duty mediator scheme and thanked the MoJ Representative for her work on this. The FMSB noted that the MoJ was working closely with a number of relevant agencies, and suggested that liaising with the Magistrates Association may also help develop closer ties between courts and mediators.</p>   |   |
| 2.4       | FMC Report   |   |
|           | <p>The FMSB noted the draft minutes of the FMC meeting held on 4.6.20.</p> <p>The FMSB noted the FMC's request to consider how to strengthen the mediation profession's awareness of and understanding of safeguarding issues. The FMSB agreed that:</p> <ul style="list-style-type: none"> <li>- the MIAMs working group would address the issue of initial screening for domestic abuse and would make recommendations about delivery of this;</li> <li>- the Standards Framework should be amended to include a requirement that mediators carry out CPD on the issue of safeguarding. The Executive Officer will draft an amendment that will be considered and approved by the FMSB before it makes a recommendation to the FMC.</li> <li>- it would remit to the question of specific CPD requirements to the Training Panel.</li> </ul> | <p>HA to draft amendment to the Standards Framework</p> <p>HA to convey to Training Panel</p> |
| <b>3.</b> | <b>Items to Discuss</b>  |   |
| 3.1       | Accreditation Panel  |   |
|           | <p>The Accreditation Panel met on 7.7.20 and the FMSB noted that draft minutes would be circulated to members in due course.</p>   | <p>HA to circulate draft Accreditation Panel Minutes from 7.7.20 meeting to FMSB members</p>  |
| 3.2       | Fit & Proper Person Test   |   |
|           | <p>The Chair of the FMSB and the Chair of the Complaints Panel had met the Professional Standards Authority to discuss the PSA's work on good character. The FMSB agreed that a test for good character should be introduced, and proposed that the FMC should conduct a test before people commence training, and this should be reviewed regularly. The FMSB noted the need to work with approved training providers and Member Organisations on this issue. The FMSB discussed whether PPCs should be involved in the assurance process.</p> <p>The Chair of the FMSB will amend the draft policy on good character and the Executive Officer will propose a way to implement this.</p>   | <p>RC to amend draft;<br/>HA to propose implementation</p>                                    |

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| 3.3 | Standards Review: Complaints   |  |
|     | <p>The FMSB noted that it had not been possible to have conversations with two FMC Membership Organisations about their views on the complaints process, because of the impact of coronavirus. The FMSB noted that the consensus among those MOs that the FMSB had liaised with was that the current system is fragmented, and is confusing for both the public and mediators.</p> <p>The FMSB agreed that in addressing this, it should consider among other issues how to distinguish between concerns about mediators and alleged breaches of the Code of Practice and how to ensure FMC Membership Organisations can support mediators.</p> <p>The FMSB asked the Chair of the Complaints Panel to make a proposal to address the current challenges in the complaints system to its next meeting.</p> | IC to draft proposals with support from RC & HA                  |
| 3.4 | Standards Review: MIAMs  |  |
|     | <p>The FMSB approved the Terms of Reference and timetable for the MIAMs Working Group, and noted that it was due to meet for the first time on 10.7.20.</p>  |  |
| 3.5 | Standards Review: Accreditation  |  |
|     | <p>The FMSB agreed it was important to progress the work of the Standards Review Accreditation Working Group (StRAWG). StRAWG's discussions had become focused on the issue of the who should be able to conduct MIAMs. This issue was being addressed by the FSSG of the PLWG. The FMSB agreed JH's paper setting out the Background, Objective and Scope of the Working Group (based on the initial Project Initiation Document) would refocus the group's work.</p> <p>The FMSB asked that the StRAWG considered apprenticeships and a modular approach.</p> <p>The Chair and Executive Officer will write to the StRAWG about progressing its work and aim to arrange a meeting to start to do this in August.</p>   | RC & HA to write to StRAWG members; HA to arrange August meeting |
| 3.6 | PPC Panel  |  |
|     | <p>The FMSB noted the work of the PPC Panel, and proposed changes from the PPC Panel to the Standards Framework and Code of Practice, and identified some inconsistencies with the PPC Code of Practice. The FMSB asked the Executive Officer to work with the Panel to amend these proposals.</p> <p>The FMSB noted the need to clarify the status of the PPC Guidance, and agreed that this could be done as part of the restructuring of the Standards Framework.</p>   | HA to work with PPC Panel to amend proposed changes              |

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| 3.7       | Coronavirus – Long Term Issues   |   |
|           | <p>The FMSB considered the possible long-term impact of the coronavirus pandemic and agreed that it would review the long-term consequences for online training of mediators (both foundation and CPD) and remitted questions relating to Standards Framework and online training of mediators to the Training Panel.</p> <p>The FMSB agreed that it would review the Standards Framework in relation to provision of online Mediation. JH and SJT would form a working group to address this issue, and work with the MIAMs working group in relation to online MIAMs. HA to ask for volunteers to join this working group.</p> | <p>HA to convey to Training Panel</p> <p>HA to ask for volunteers for working group</p>                           |
| <b>4.</b> | <b>Governance</b>  |   |
| 4.1       | FMSB Roles   |   |
|           | <p>The FMSB agreed that members would take on the following new roles:</p> <p>Accreditation Panel: BD - Lead, SJT - Member</p> <p>Training Panel: AW – Lead, SJT - Member</p> <p>The FMSB agreed that the panels could advertise for additional non-FMSB panel members as required.</p>  | <p>HA to update organogram</p> <p>HA to include request for new Accreditation Panel members in FMC Newsletter</p> |
| <b>5.</b> | <b>Future meeting dates to note</b>  |   |
|           | <p>2020 dates (all Wednesdays, previously decided to be 12.30 – 4.30pm):</p> <p>16 September; 11 November</p>  |   |