

FMC Newsletter

January 2021



Recent FMC Developments

Family Mediation Week

Thank you to everyone who joined in to spread the word about family mediation and its benefits last week – the week was a great success! The Family Mediation Council would especially like to thank Anna Vollans, Chair of the Family Mediation Week Working Group, and all the members of that group, who were mostly volunteer mediators from across the FMC's membership organisations but were also joined by a solicitor who is passionate about the benefits of mediation. The Working Group plans to send a follow-up newsletter shortly about the impact of the week. Planning for 2022 will get under way in the summer. If you'd like to be involved in organising this, please e-mail Helen Anthony at executive@familymediationcouncil.org.uk Meanwhile, do remember to tell your contacts, and prospective clients, to see for themselves how family mediation works, by watching (on the FMC's web-site [here](#)) the mock mediation which featured during the Week.

Good Standing Consultation

The FMSB has identified a gap in the current Standards Framework. Although it requires mediators to show they have the skills and experience to be family mediators, it does not contain anything about a person's suitability to become a mediator in terms of their character. The FMC therefore asked the FMSB to introduce a Good Standing test for family mediators. The FMSB has considered how this may be introduced, with minimal impact for existing mediators, or for those considering entering the profession, and would welcome the views of mediators on whether its proposals will achieve its stated aims. You can read more about the proposals [here](#). Please send any comments you have on the proposals to info@familymediationcouncil.org.uk by Monday 22nd February.

Family Solutions Group Report

At its meeting in December, the FMC endorsed the [report of the Family Solutions Group](#) and its recommendations. Many of its recommendations were already being

considered by the FMSB's working group on professional standards for MIAMs, and the FMC has since considered how it might be able to give effect to the remaining recommendations which relate to mediation, in the context of considering its other priorities within the limits of its resources. Work on this is continuing.

CAFCASS

The FMC was pleased to welcome Jacky Tiotto, CEO of CAFCASS, and Volker Buck, CAFCASS's Chief Commissioning Officer, to its board meeting in December. Board members heard how CAFCASS had responded to the coronavirus pandemic, and about the current pressures it was under, and there was discussion about how the FMC and CAFCASS could work together more closely in the future.

Legal Aid Agency – Reporting audit issues to the FMC as they arise

Over the last several years, the FMC has raised concerns with the Legal Aid Agency that its auditing practices are inconsistent and sometimes unduly harsh. We have passed examples of these practices to the LAA and, whilst the colleagues we liaise with appear sympathetic to some of the issues, the only impact appears to be a re-affirmation of the LAA's commitment to ensuring its auditors and practice managers are properly trained. This may, in part, be due to the fact that the issues raised are different every time, which makes it difficult to point to a systemic issue which can be fixed.

After discussion with the LAA, it has agreed to trial a different approach for two months in which live audit concerns can be sent to the FMC, to be passed on to the LAA. This doesn't replace the formal appeals system, and our LAA contact cannot intervene in a decision-making process, but it does present an opportunity to tell the LAA about audit concerns through a different route and may result in the LAA checking correct processes are being followed whilst issues are still live. If you are a mediator whose firm is audited by the LAA in February or March, and any concerns arise during that audit, please let Helen Anthony (executive@familymediationcouncil.org.uk) know as these issues arise, so that the concerns can be reported to the Legal Aid Agency.

Annual Registration 2021

Usually at this time of year we would be encouraging all mediators to submit their forms as part of the annual re-registration process. This year however we have postponed the process, which will start in March, as we are moving to an online system. All mediators will be contacted with full details of the process in due course. There has been no increase in fees for 2021, with the registration fee for FMCA mediators remaining at £120, and the fee for mediators who are working towards accreditation being £60. We plan to revert to January registration in 2022.

Renewal of Accreditation

We have had a number of enquiries regarding re-accreditation dates. If you have already renewed your accreditation, you will have an individual re-accreditation date which will be on your re-accreditation certificate. If you have not yet re-accredited, your re-accreditation date is three years from the point of first accreditation (the [FMC's online mediator search](#) will tell you what this date is). When completing your renewal of accreditation application, please visit the [Renewal of Accreditation page](#) of the FMC website, where you can look at an [example](#) of a completed form and read the [guidance](#) before completing the form carefully. We are having to return a high number of forms which are being submitted with incomplete information, which causes delays to processing applications.

Volunteers

The FMC is looking to recruit a non-mediator member of the FMSB. Independent members bring an important perspective to the work of the Standards Board and play a critical role in ensuring professional standards for family mediators are robust. Please share information about the role, which can be found [here](#) with your networks and try to encourage potential applicants to apply.

The FMC is also seeking mediators to join its newly formed Equality, Diversity and Inclusion working group, which is chaired by Sara Collins, and meets for the first time in February. Please contact Helen Anthony at executive@familymediationcouncil.org.uk for more details.

Finally, the FMSB is seeking mediators to join its PPC and Accreditation Panels. We are enormously grateful to all the mediators who are members of the FMSB's panels, which are critical to ensuring the self-regulatory system works. FMSB panels meet about once a quarter. They consider issues of policy, on which they make recommendations to the full FMSB, and also make decisions on delegated matters such as return to practice applications or non-standard extension requests (in the case of the Accreditation Panel), and support for PPCs (in the case of the PPC panel). Please contact Helen Anthony at executive@familymediationcouncil.org.uk for more details.

Developments from Elsewhere

Mediation and Domestic Abuse Network Launch

The newly formed Mediation and Domestic Abuse Network is inviting mediators to join a workshop on 17th March for an initial conversation about how mediation and domestic abuse services can improve, collaborate more effectively and improve our own assessment process and pathway options, to benefit mediation clients and vulnerable families more generally. For more information click [here](#).

University of Exeter Research

As a follow-up to the Mapping Paths to Family Justice project, researchers from the University of Exeter are seeking assistance from mediators to recruit parents and young people who have experienced child-inclusive mediation and who may be willing to be interviewed about their experience. For further details please see this [advert](#) or contact Jan Ewing: J.Ewing@exeter.ac.uk.

Legal Aid Eligibility Changes – Abolition of the £100,000 limit of the Mortgage Disregard

Following a successful legal challenge, an important change to the legal aid means test was brought in on 28 January 2021. The new test removes the limit on the amount of mortgage debt which was to be deducted, when assessing the value of property and which, prior to the change, stood at £100,000. The result of this rule change is that the full value of the mortgage debt will now be deducted by the Legal Aid Agency, when assessing that value. This is bound to benefit legal aid applicants whose mortgage debts are over £100,000.

Survival Guide for Pensions on Divorce

The Pensions Advisory Group and Law for Life have published a [Survival Guide to Pensions on Divorce](#), a free-to-access, step-by-step guide to pensions on divorce, aimed at divorcing couples. Mediators may find this a useful resource to share with mediation participants.

Opportunities for Mediators

Please see the FMC website [here](#) for information about opportunities for mediators, including.

Upcoming Events & Training

The FMC aims to bring you information about training, courses and workshops related to family mediation, to aid professional development. Courses are also listed on our [website](#), where you will find more details about submitting events to be included.

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