



FMC Board Meeting
Wednesday 9th June 2021
Approved Minutes

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

Also In attendance: Elaine Richardson (Law Society), Robert Creighton (FMSB Representative), Claire Webb (FJC Representative), Helen Anthony (Executive Officer)

Open Session – FMC Board Members and observers		
1.	STANDING ITEMS	Actions
1.1	Welcome, introductions, apologies	
	The Chair welcomed everybody.	
1.2	Approval of draft minutes, matters arising	
	<p>The draft minutes of the FMC meeting held on 10.3.21 were approved.</p> <p>Matters arising:</p> <p>The board noted that the whilst the planned CAFCASS meeting has taken place, meetings with Mr Justice Cobb and the minister had not. HA to follow up to arrange these meetings.</p>	HA to publish approved minutes
2.	Reports	
2.1	Chair's Report	
	<p>The Chair reported that his focus has continued to be on the series of reports published in late 2020 about private family law reform.</p> <p>The FMC agreed that there was a risk that the excellent recommendations would not be delivered because nobody was responsible for leading on this, and that organisations would continue to work in silos. The board agreed that the FMC should try to take the lead in bringing people together to deliver on the reports' recommendations.</p> <p>The board agreed to draft a careful twin-tracked strategy that sought to bring together key agencies such as the MoJ, CAFCASS, CAFACSS Cymru, FJB, HMCTS, DWP</p>	

	<p>at the same time as working with organisations such as those working with families who have experienced domestic abuse, representative organisations from across family justice, and organisations offering offer support to families to build an alliance which was able to implement the reports' recommendations.</p> <p>The FMC noted that Lord Farmer had sponsored Family Hubs and agreed to approach him to ask whether he could lead or support the FMC's efforts to unify support for the shared aim of implementing the recommendations in the recent reports.</p> <p>The board agreed to:</p> <ul style="list-style-type: none"> - Agree the key objectives arising from the reports. To do this, JT will send a first draft to board and any comments should be sent back by 14.6.21. JT will then finalise the objectives. - Ask Lord Farmer whether he would lead or support the FMC's campaign. In the first instance, BS will contact Samantha Callan at the Centre for Social Justice which has links with Lord Farmer. - To write to the MoJ and other agencies identified to urge them to support these key objectives. JT to draft a covering letter, HA to send. JT will contact Iain Christie, who is a policy adviser to the Lord Chancellor working on dispute resolution issues. - To engage other organisations in a campaign to achieve these objectives. HA to research organisations which the FMC can approach to ask for their support. <p>The board agreed that it was critical to be able to offer assurance about the standards of MIAMs if the FMC was to argue for increased referrals to mediation. The board agreed to address this under item 2.4, the FMSB report.</p>	<p>JT to draft objectives; board members to comment; JT to finalise</p> <p>BS to contact Samantha Callan</p> <p>JT to draft letter to MoJ; HA to send</p> <p>HA to research organisations to approach to as for their support for the campaign</p>
2.2	Financial Report & Risk Register	
	<p>The board noted the updated risk register, as well as income and expenditure and the balance sheet to 31.5.21. The board noted slight variations against the budget for 2021 including an increase in fee to its secretariat (PASS) which has been agreed by the board, but with an overall position predicted to be on budget at the end of the year.</p>	

2.3	Executive Officer Report	
	<p>The board noted the Executive Officer’s report. The Executive Officer also reported that there were a total of 985 mediators on the FMC Register, with 694 of those accredited and 291 working towards accreditation.</p> <p>The board agreed that the Executive Officer should liaise with the MoJ about the uploading of the FMC Register to the FMC website, which currently happens through an MoJ managed interface (known as an API) but which may be able to operate in a more efficient way in the future now that the FMC manages its Register through an online management system.</p> <p>The board agreed that the Executive Officer should find out more about mental health support that could be made available to mediators.</p>	<p>HA to liaise with MoJ re API</p> <p>HA to follow up re mental health support</p>
2.4	FMSB Report	
	<p>The board noted the draft Minutes of the FMSB Meeting held on 19.5.21.</p> <p>The FMSB Chair thanked the FMC for agreeing a recent increase in the number of FMSB members.</p> <p>The board noted the good progress in implementing the new online registration system, ‘Sheep’, and expressed its gratitude to the Executive Officer, PASS & the team at Sheep for introduction of this.</p> <p>The board noted that there had been a decline in numbers of mediators on the FMC Register, in particular those who were accredited. It was noted that this was in part due to the fact that deadlines for submitting portfolios had been suspended for a year due to the coronavirus pandemic, and so fewer mediators working towards accreditation were applying for accredited status than usual, whilst accredited mediators continued to retire at the usual rate. The board noted that the FMSB was alert to this issue and agreed that both the FMC and FMSB needed to ensure its policies and practises reversed this trend.</p> <p>The board noted that the FMSB was looking to embed consideration of safeguarding issues across all its activity and that it was likely that the FMSB would set up a task and finish group to review the arrangements needed to ensure this was implemented.</p>	

	<p>The board noted that the FMSB was considering the best way in which to address issues relating to Child Inclusive Mediation (CIM) and was looking for a suitable person to lead a joint FMC/FMSB working group which would, in the first instance, identify CIM issues that needed to be addressed.</p> <p>The board noted that the Executive Officer had met with a representative from Resolution following the last FMC meeting, to discuss suggested changes to the proposed single complaints process operated by the FMSB, that revised proposals would be submitted to the FMSB at its July meeting with the expectation a final recommendation about the complaint process would be made to the FMC in September.</p> <p>The board noted that there had been a really good level of engagement from mediators in response to the MIAMs consultation. The FMSB Chair thanked the FMC's Member Organisations for their thoughtful and valuable responses, and noted that over one hundred individual mediators had also engaged with the consultation process. It was noted that the consultation responses showed that there were large areas of agreement around the proposed MIAMs standards and some areas which are more challenging.</p> <p>The FMC reflected on the importance of re-assuring the judiciary about the standard of MIAMs and asked the FMSB to draft an updated status report which could be distributed widely, which emphasised the areas of agreement. The FMSB Chair and Executive Officer will take this forward with colleagues on the MIAM working group.</p>	<p>RC & HA to liaise with MIAMs working group to update and distribute status report re MIAMs consultation</p>
3.	Governance	
3.1	Terms of Office (Allan Blake & Dan Ronson)	
	<p>The board noted that Allan Blake's and Dan Ronson's terms of office were due to expire on 23.6.21. The board noted the significant contribution both directors made to the board and invited them to remain as directors for another term. Both directors accepted their re-appointment.</p>	

3.2	New FMSB Members	
	<p>The FMC welcomed the recent appointment of Professor Lisa Doodson and Michael Mack to the FMSB.</p> <p>The board noted that, as it had increased the number of FMSB members from seven to nine, it now needed to recruit an additional mediator member to the FMSB. It was agreed that the FMC would also recruit a mediator member to replace Beryl Darling, who was retiring as a mediator at the end of the year and stepping down from the FMSB as a result.</p>	
4.	Items to discuss	
4.1	MoJ Voucher Scheme	
	<p>The board noted that the Mediation Voucher Scheme had been successfully launched and about 40% of vouchers had been allocated. An average of £410 per voucher was being claimed, meaning that the scheme would be able to help more than 2000 families if the full voucher amount of £500 was not claimed each time.</p> <p>The board noted that it was likely that the last vouchers would be allocated in August, but that the working party would propose to the MoJ that the scheme be extended.</p> <p>The board noted that the first instalment of voucher funds had been received and a second instalment requested, and the FMC had begun to pay invoices submitted under the scheme. The board also noted that the FMC's invoice for initial costs had been paid, and that the FMC had invoiced for its running costs for April and May.</p> <p>It was noted that the scheme had been mentioned in a recent speech by the Lord Chancellor, Robert Buckland.</p> <p>The board thanked the Voucher working party for overseeing the voucher scheme and thanked PASS for delivering it.</p>	
4.2	CAFCASS	
	<p>The board noted the draft notes of the FMC meeting with CAFCASS held on 20.5.21. The board noted the importance of the actions agreed and asked for actions to be highlighted within the notes.</p> <p>The board agreed that the FMC should help facilitate links between mediators, local family justice boards, and</p>	<p>HA to highlight actions in CAFCASS notes</p> <p>HA to work with CAFCASS and mediators to facilitate links</p>

	<p>CAFCASS officers, and that it should try to ensure mediator representatives attending LFJBs represented all FMC Registered Mediators and not just their own interests as mediators.</p> <p>The board expressed concern that the FMC's profile was not high enough in order for it to be the 'go to' organisation when policy makers or the courts wanted an input from family mediators. It agreed that the actions it had identified at 4.1 above would help address this.</p>	
4.3	Family Hubs	
	<p>The board considered a proposal for the FMC to become more active in its support of family hubs and agreed:</p> <ul style="list-style-type: none"> - To support mediators in Dorset in developing draft principles for mediators who are involved with family hubs, with a view to these principles being approved by the FMSB/FMC as relevant and applied nationally; and - To contact the Anna Freud Centre, which has been awarded funding to support a national network of family hubs in order to become involved in the development of this. The board agreed that it should encourage the Anna Freud Centre to reach out to other organisations involved in family justice including those who represented lawyers such as Resolution and the Law Society, as there was perceived to be a risk that the hubs might become a revived version of Children's Centres which focussed on younger children's health and social needs. <p>The board asked Beverley Sayers to take these pieces of work forward.</p>	<p>BS to contact Dorset mediators to offer FMC support in drafting documents</p> <p>BS to contact Anna Freud Centre re involvement in development of Family Hubs</p>
4.4	Marketing & Engagement	
	<p>The board noted the draft minutes of the FMC's meeting with the Institute of Family Law Arbitrators held on 9.4.21.</p> <p>The board welcomed a suggestion that the FMC explore whether it could create and maintain a directory of services that mediators could signpost clients to, and help mediators make links to other services which support separating families. The Executive Officer will draft a plan setting out how the FMC could do this.</p>	<p>HA to draft plan re directory & links</p>
4.5	LAA	

	<p>The board noted the draft minutes of the FMC's meeting with the Legal Aid Agency, held on 23.3.21.</p> <p>The board asked that the FMC raise the issue of whether the LAA would pay an increased rate for MIAMs if the new MIAMs standards required extra work to be carried out.</p> <p>The board asked the Executive Officer to contact the FMC's Member Organisations a month before each meeting with the LAA to ask if they have any issues to raise.</p>	<p>FMC LAA reps to raise issue of paying for increased MIAMs work</p> <p>HA to invite MOs to raise issues a month before each LAA meeting</p>
4.6	EDIT	
	<p>The board noted the draft minutes of the meeting of the Equality, Diversity & Inclusion Team held on 29.3.21.</p> <p>The board considered EDIT's request for an FMC director to be given specific responsibility for Equality, Diversity and Inclusion (EDI) and concluded that this should be the responsibility of all directors.</p> <p>The board considered the proposals that each working group or panel have a member responsible for EDI issues and an observer from the EDIT team. The board concluded that EDI was the responsibility of every group or panel member, and welcomed the proposal for an observer on each group or panel.</p> <p>The FMSB Chair invited a member of the EDIT to an FMSB meeting to discuss the practicalities of observers attending FMSB meetings and panel meetings, in order to agree an approach which had a positive impact. The FMC Chair will invite EDIT to appoint one of its members to liaise with the FMSB Chair, to arrange to attend an FMSB meeting for this purpose.</p>	<p>JT to relay FMC's decisions to EDIT and invite member to contact FMSB Chair</p>
5.	ITEMS AND PAPERS FOR INFORMATION	
5.1	2021 FMC Board Dates	
	<p>8.9.21 – AGM & Board Meeting, 11.30am AGM Start, Board Meeting following immediately, 3.30pm finish. Online.</p> <p>8.12.21 – Board Meeting 11.30am – 3.30pm – Provisionally Anthony Gold offices</p>	

6.	AOB	
	Board members were invited to attend an international role play which was being hosted by NFM on 10.6.21.	