

## FMSB Meeting

Wednesday 26<sup>th</sup> January 2022

### Approved Minutes

Present: Robert Creighton, Lesley Allport, Lorraine Bramwell, Lisa Doodson, John Hobson, Mike Mack, Alexis Walker, Sarah-Jane Turnbull, Ian Hamer

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

	Part 1 - Open session	Actions
<b>1.</b>	<b>Introductory</b>	
1.1	Welcome and introductions apologies, declarations of interests	
	The Chair welcomed everyone and noted the standing declarations of interests.	
1.2	Approval of minutes of last meeting & matters arising not covered elsewhere	
	The minutes of meeting held on 17.11.21 were approved. The Executive Officer noted that it had not been possible to make progress on issues relating to accreditation, including the recruitment of Deputy Chief Assessor, but this should be progressed over the coming weeks.	HA to publish minutes
<b>2.</b>	<b>Reports</b>	
2.1	Chair's Report	
	The Chair reported that he had attended a number of events during Family Mediation Week (FMW), which had been excellent. The Chair particularly welcomed the comments made by Lord Wolfson and the President of the Family Division. The FMSB noted that FMW had shown there was low awareness of the Standards Framework and the FMC Register (for example only about a third of CAFCASS' Family Court Advisors who attended a presentation in FMW had heard of the FMC Register before the presentation), and agreed to ask future FMW organisers to ask speakers to point to the Standards	

	<p>Framework where relevant. The FMSB recognised that here had been a deliberate focus on raising awareness amongst professionals working with separating families; and agreed it would welcome similar promotion direct to the public, which still has low levels of awareness about mediation and the FMC Register.</p> <p>The FMSB noted the MOJ’s strong support of family mediation may present an opportunity to discuss the prospect of protected title for family mediators, and agreed that it would welcome such a discussion. The FMSB also agreed that the FMW session recordings may prove to be useful resources for mediators and noted that FMC was considering how the recordings could be made available on a long-term basis.</p>	<p>HA to feed back to FMW working group</p>
2.2	Executive Officer’s Report	
	<p>The Executive Officer noted that the annual registration process had not begun because the FMC was waiting on advice from its accountants about registering for VAT and the implications of this, but noted that registration process could commence as soon as this issue was resolved.</p> <p>The Executive Officer reported that the Ministry of Justice had agreed to a further extension of the voucher scheme, which meant that vouchers were expected to be available until the end of March 2022, and that would mean that a year’s worth of valuable data would be gathered through the scheme. The FMSB welcomed the news that there was a possibility of a longer-term scheme starting in April 2022, and that the FMC was considering how this would be resourced should it be contracted to run this. The FMSB noted that the FMC was working to ensure the scheme worked alongside Legal Aid.</p>	

2.3	FMC Report	
	The FMSB noted the draft minutes of the FMC meeting held on 8.12.21.	
<b>3.</b>	<b>Governance</b>	
3.1	Priorities & planning	
	<p>The FMSB discussed its priorities and workplan for the year, which the Chair would report to the FMC. It agreed the following priorities:</p> <p><b>Maintenance Agenda</b></p> <ul style="list-style-type: none"> <li>• Registration – incremental administrative improvements (HA)</li> <li>• Accreditation – portfolio assessments and support to Chief Assessor and assessors; individual cases management (SJT to chair panel, LA &amp; MM panel members)</li> <li>• Training – foundation course audits and re-confirmations; liaison with other panels as necessary (LD to chair panel, AW &amp; SJT panel members)</li> <li>• Complaints – administration of the new system; handling cases as they arise (IH to lead)</li> <li>• PPCs – registration, accreditation, complaints in conjunction with panels above (LB to chair panel, IH panel member)</li> </ul> <p><b>Project Completion</b></p> <ul style="list-style-type: none"> <li>• Complaints system implementation – new system in place from 1 March 2022 (IH leading)</li> <li>• MIAMs Standards, Guidance and Assurance, phase 1, Specification of Delivery and Assurance Standards – publish last draft in February for internal and external review; FMC final sign-off 9 March (AW leading, JH and LB supporting)</li> <li>• Online working and training – finalise permanent policies for April FMSB, and promulgate, ensuring</li> </ul>	RC to share priorities & workplan with FMC

remaining issues are referred to FMSB/panels as relevant (JH leading)

### **Development Agenda**

- Staged accreditation – promotion; piloting; development of training/support for PPCs – throughout the year – to be taken in to Accreditation Panel agenda
- WTAs/vouchers/LAA work – develop policy; link to staged accreditation; consult with MoJ and LAA; FMC sign-off; implement – to be taken in to Accreditation Panel agenda
- Strategic review of accreditation and entry to the profession – define; establish group and process; initiate (LA to lead, MM & SJT to support)
- Foundation training for PPCs: develop specification; hand over to Training Panel for implementation (on PPC Panel Agenda with liaison with Training Panel, and to be progressed after PPC role has been clarified)
- MIAMS Standards, phase 2, Competencies, Training, Values – already committed in principle by the project ToR; continue Working Group led by AW, JH and LB supporting. The FMSB noted that consideration of whether further training on identifying domestic abuse in assessment meetings and specifically in MIAMs that are carried out by video conference, is necessary as it had been asked by the FMC to look at this specifically, and that this will form part of the consideration of training requirements.

### **Assurance Agenda – JH taking the lead overall**

- Assurance Policies and Processes – to build on the MIAMs assurance proposals to develop a comprehensive policy across all standards; communicate and engage with the profession; secure FMC sign-off (JH to lead, AW and MM in support)

- Ensuring Compliance – explore mechanisms; distinguish role of FMSB as investigator/prosecutor and adjudicator; develop policy; communicate and engage with the profession; secure FMC sign-off (MM to lead)
- Role of PPCs – clarify, specifically in relation to assurance; communicate and engage with the profession; secure FMC sign-off if needed – to be taken in to the PPC Panel agenda
- Data/Information/Intelligence – develop policy and practice to support the maintenance of the regulatory regime (MM to lead, JH in support)

**Preparation Agenda**

- Exploration and Specification – examine the adequacy of the coverage of safeguarding, CIM and EDI in all standards and their assurance; report with recommendations for further attention, including potential non-regulatory action by the FMC (LB to lead with support of LA)
- Readiness to Practise Certificate – consider suitability/necessity, as a consequence of the Development work being done; extensive consultation on the principle likely to be needed before formal policy development can start – to be taken in to the Accreditation Panel Agenda

The FMSB noted the importance of liaison across the various panels and working groups, and agreed that a standing item on each agenda should be matters to refer within the FMSB and that during the year proposals would be brought forward for standardising reports and documentation. It was agreed that in order to put this in to operation the Panels and Working Groups identified in the workplan would be formally (re-)established, with clarification of membership, Terms of Reference, and proposed deliverables in 2022 and 2023.

HA to add referrals within FMSB as standing item for each FMSB panel/WG meeting

RC, with support from HA, to initiate this process

4.	<b>Items to Discuss</b>	
4.1	<p data-bbox="181 159 347 192">Complaints</p> <p data-bbox="181 215 1018 412">The FMSB welcomed the fact that the FMC had signed off the new complaints process at its board meeting in December and confirmed its support for the proposed implementation timetable.</p> <p data-bbox="181 490 1018 741">The FMSB considered the responses to the consultation about the minimum content for mediators' own complaints processes. It agreed to amend this to include a provision that allows for mediation of the complaint where both the complainant and mediator wish this to proceed.</p> <p data-bbox="181 819 1018 1182">The FMSB also discussed how long after an event which leads to the complaint should a complaint be allowed to be made, and agreed that this should be a minimum of three months. The FMSB asked IH &amp; HA to consider whether the definition of 'an event which leads to the complaint' needs to be more carefully defined with particular regard to what might be considered the end of a mediation.</p>	<p data-bbox="1059 819 1350 1126">IH &amp; HA consider definition of event leading to complaint alongside implementation of scheme</p>
4.2	MIAMs	
	<p data-bbox="181 1319 1034 1570">The FMSB approved the MIAMs Standards as presented. It noted that the Standards would go to the FMC for sign off at its meeting in March, subject to final review by the Working Group on 31 January and proof reading/stylistic changes which do not change the document's meaning.</p> <p data-bbox="181 1648 1034 2011">The FMSB welcomed the updated assurance paper, which has been produced specifically for MIAMs but will form the basis of assurance processes for all of the FMSB Standards. The MIAMs working group is due to meet again w/c 31 January to finalise the assurance paper. Subject to there being no significant changes then, the Board endorsed the paper for recommendation to the FMC.</p>	

5.	Future Meeting Dates	
	Jt FMC/FMSB meeting tbc – HA to send Doodle Poll April FMSB meeting tbc - HA to send Doodle Poll (in person if possible) 6 <sup>th</sup> July 2022 – in person if possible 19 <sup>th</sup> October 2022 – in person if possible	HA to send Doodle Polls