

**FMC Board Meeting**  
**Wednesday 14<sup>th</sup> August 2024**

**Present:** Stephen Burke (Chair), Allan Blake, Caroline Bowden (The Law Society),  
 Alison Bull (Resolution), Jan Coulton (The College of Mediators)

**Apologies:** Sarah Hawkins (NFM), Beverley Sayers (FMA),

**Also in attendance:** Robert Creighton (FMSB Chair), Ruth Hay (FJC Representative),  
 Helen Anthony (Executive Officer)

**Approved Minutes**

Open Session – FMC Board Members and observers		
	Item	Actions
<b>1.</b>	<b>STANDING ITEMS</b>	
<b>1.1</b>	Welcome, introductions, apologies	
	<p>The Chair welcomed everybody.</p> <p>The board remembered Jane Wilson, a former FMC director, who had sadly passed away in July. The board noted that the FMC would publish an obituary to acknowledge the significant contribution Jane had made to the family mediation community in its newsletter, and would also contribute to a piece that would remember Jane in a Resolution newsletter.</p>	
<b>1.2</b>	Approval of draft minutes, matters arising	
	<p>The board approved the minutes of the discussion meeting held on 12.6.24.</p> <p>The board noted the action log and progress made.</p> <p>Matters arising:</p> <ul style="list-style-type: none"> <li>• The FJC Voice of the Child Working Group is meeting in early September, when its terms of reference may become clearer. The FMC noted the need to ensure any work it did on this topic complemented rather than duplicated the work of the FJC.</li> </ul>	
<b>2.</b>	<b>Items for Decision</b>	
<b>2.1</b>	DBS Checks	
	<p>The board approved the recommendation from the FMSB that the Standards Framework should be amended so that child-inclusive mediators are required to have an Enhanced DBS certificate (with an children’s barred list check where the mediator is eligible), to disclose the certificate to the FMSB, to sign up to the DBS update service, and to allow the FMC to check the update service as required.</p>	

	<p>The board agreed the recommended implementation dates as follows:</p> <ul style="list-style-type: none"> <li>- for mediators wanting to register for a new CIM status from 1 October; and</li> <li>- for all existing CIM mediators by the time of the next annual registration deadline (28 April 2025).</li> </ul> <p>The board noted that the FMC would write to existing CIM mediators to explain the process for sharing DBS certificates with the FMC.</p> <p>In considering whether to approve the recommendation, the board noted that introducing the policy would require additional administrative work to check the certificates/the update service on an annual basis, estimated at 60 hours' work. The board noted that it was anticipated that capacity to do this work would be created by streamlining existing administrative processes. The board also noted the need for longer term strategic planning regarding workload and budgeting (see item 3.1).</p>	
<b>2.2</b>	Year End Accounts to 31.12.23 for approval	
	The board noted the draft accounts for the year ending 31.12.23. The board agreed the accounts, subject to separating out categories of membership income.	HA to request amendment to accounts and send to SB & ABI for signing before filing
<b>3.</b>	<b>Items for Information</b>	
<b>3.1</b>	Financial Report	
	<p>The board noted the management accounts to 30.6.24, the revised projections for the current year, and the explanatory paper.</p> <p>The board noted concerns that its projected year-end balance had reduced, due to a lower carry forward from 2023 than had been anticipated. The board noted that this was a result of unrecoverable VAT which had not been anticipated due to the change in the nature of the FMC's income, and a likely error in projection. The board noted the need for careful planning and budgeting going forward, and that measures the FMC had already agreed on (to have the accountants prepare quarterly management accounts and to establish a finance working group) would mitigate the risk of this happening in future.</p> <p>The board noted that the FMC had chosen to agree a deficit budget in-year budget 2023 and 2024, and planned to do so again 2025, in order to spend the unreserved surplus it had built up to help the FMC achieve its objectives. The board noted that during this time the FMC aimed to increase its income through small annual fee rises and by growing the number of mediators on the register. The board noted there were positive signs that</p>	

	<p>the number of mediators on the FMC Register would grow in 2025.</p> <p>The board noted that there remained a question about the FMC's ongoing VAT liability, that would depend on its ratio of VAT-able income and non-VAT-able income.</p> <p>The board agreed that it was important to review its long-term budget in light of its strategic priorities, to ensure its income would cover costs beyond 2025. The FMC remitted this work to the Finance Working Group with a view to it reporting and recommending a budget to the board to be adopted at its December meeting.</p> <p>The board agreed that the members of the Finance Working Group would be SB, ABI, RC, ABu, Mike Mack (FMSB member) and Leah Caldwell (mediator member). HA to draft ToR for Finance Group and arrange first meeting.</p>	HA to draft ToR & arrange WG meeting
<b>3.2</b>	<b>Code of Practice &amp; Standards Update</b>	
	<p>The board noted the forthcoming changes to the Code of Practice and Standards Framework, the policies for which had already been agreed.</p> <p>The board noted that the structure of the Code of Practice and Standards Framework was potentially confusing due to the history of the two documents, and that the FMSB would like to restructure these when workload allows.</p>	
<b>3.3</b>	<b>Strategy Planning</b>	
	<p>The board noted the proposed strategy planning process, which was designed to ensure the FMC &amp; FMSB are able to have a productive meeting and agree a final strategy at its meeting in December.</p>	
<b>4.</b>	<b>AOB</b>	
	<ul style="list-style-type: none"> <li>• Pathfinder pilots for private children cases. The board noted that after being trialled in to areas initially, the model was now being roled out to other court areas. The board noted some concern about whether cases are being diverted from court to mediation in appropriate cases. HA to add to agenda for September, and to work with board members to put together a paper for discussion, with a view to talking to the President of the Family Division and others as required.</li> <li>• Law Commission. The board noted the Law Commission was due to publish its scoping paper on Financial Remedies shortly.</li> </ul>	

	<ul style="list-style-type: none"> <li>• New Ministers. The board noted the FMC was trying to secure a minister to speak at a reception in the autumn.</li> <li>• Briefing for MPs. The board noted that the FMC's briefing had been sent to the newly elected MP for the constituency in which colleagues in the the FMC office work, and that the MP had responded positively and agreed to a meeting to discuss family mediation. Board members were encouraged to send the briefing to their local MPs, introducing themselves as a director of the FMC.</li> </ul>	HA to circulate briefing to directors so they can send to local MPs
<b>4.</b>	<b>Next meeting dates</b>	
	<ul style="list-style-type: none"> <li>• 30 September 2024, 2pm – 4pm, Online</li> <li>• 11 December 2024 Joint FMC/FMSB Meeting – In person, in London</li> </ul> <p>NB MO Meetings October – some dates TBC</p>	