

FMSB Meeting
Friday 20 March 2026
Approved Minutes

Present: Robert Creighton (Chair), John Hobson, Bola Olayinka, Anthony Blackman, Mike Mack, Lesley Allport, Alexis Walker, Lorraine Bramwell (In Part)

Apologies: Sarah-Jane Turnbull

Also in attendance: Sarah Hawkins (FMC Representative), Helen Anthony (CEO)

	Item	Action
1.	Introductory	
1.1	Welcome and introductions, apologies, declarations of interests	
	The Chair welcomed everybody. The Chair and FMSB members thanked John Hobson, who had reached the end of his second term of office, for all his contributions to the work of FMSB. The FMSB welcomed the offer from JH to provide ongoing support for its assurance and standards re-structuring projects despite no longer being a member of the FMSB.	
1.2	Approval of minutes of last meeting & matters arising not covered elsewhere.	
	The FMSB approved the minutes of the meeting held on 14.1.26 and reviewed the action log.	
2.	Governance	
2.1	Strategic Plan	
	The FMSB noted the progress against the strategic plan, and that the volume of work taking place was significant. The FMSB noted that some items on the strategic plan had been delayed, and that it was important to find time to carry out the work necessary to restructure the Standards and the Code of Practice. HA to prioritise this. The FMSB noted a concern about the increasing workload on the FMC office, particularly with regard to complaints handling. The FMSB noted that the FMC office was efficient and effective but that an increase in the number and complexity of complaints	HA to prioritise work on Code of Practice & Standards Restructure

	and complaint related enquiries was resulting in other work, intended to further improve efficiency, had been delayed. The FMSB asked whether there was a risk of burn out of FMC staff. The CEO noted that all that staff feel supported by the FMC and the FMSB and that as long as there continues to be recognition that not all work can be done straight away, staff are able to prioritise and manage workloads.	
2.2	Recruitment Update	
	The FMSB noted that adverts were live for a number of roles for mediators and non-mediators, including an independent FMC member, and independent & mediator FMSB members and that some promising applications had been received.	
3.	Priority Items for discussion & decision	
3.1	Complaints	
	<u>Governance concerns</u> The FMSB noted the concerns about the FMSB's complaints process that had been raised by a mediator and thanked BO, the complaints lead, for a report which looked to processes carried out by comparable organisations and reviewed the concerns raised. After reviewing the report, the FMSB concluded that its complaints process is fundamentally sound and proportionate to both its objective and the capacity of the FMC, but that improvements could be made particularly in the areas of transparency and clarity. The FMSB accepted the five recommendations listed in the executive summary of the report. The FMSB agreed to review implementation of items 1, 2 and 3 at its meeting in June, and items 4 and 5 at its meeting in September, due to the more complex nature of these. As part of its ongoing commitment to continuous improvement, the FMSB also agreed to review whether adopting further elements of comparable bodies' complaints processes (as set	HA to send report to FMC and to the mediator who raised the concerns HA to work with colleagues implement agreed changes

	out in Appendix 2 to the report) could strengthen the complaints process further. The FMSB noted that as part of the review a question had arisen about whether complaints panel members should be notified of previously upheld complaints at the outset of the consideration of the complaint. The FMSB agreed that the panel should decide whether there had been a breach of standards in each particular complaint without knowing this information, so it did not influence the decision-making process. The FMSB agreed that panel members needed to know about previously upheld complaints when considering the consequences of any new breach of standards, as this is one of the circumstances they must take in to account. The FMSB noted that the current process reflected these points and therefore agreed no change was required. <u>Annual Complaints Report</u> The FMSB welcomed the draft annual complaints report and, subject to changes, approved the report for publication. The FMSB accepted the recommendations for it to consider from complaints panels, which are: A. whether there should be a requirement for mediators to conduct both MIAMs in most cases, or if guidance should be given on this. B. amending the complaints process where a panel identifies a concern that standards are breached, but that is not the subject of the complaint, so that the decision about whether to start a formal FMSB initiated complaint goes back to the original panel once further information has been obtained from the complainant. C. that the FMSB clarifies that an action that takes place prior to a MIAM and prior to a mediation taking place would come under the scope of the 'mediation process' that the FMC Code of Practice covers.	HA to make agreed amendments, send report to FMC and publish
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	The FMSB noted that point C had already been addressed via MIAMs guidance, and that points A&B would be added to the FMSB's workplan for consideration. The FMSB asked whether it was able to consider whether there were any patterns among upheld complaints, for example firms of PPCs that were repeatedly involved. The FMSB noted it was able to pick up on patterns regarding PPCs but that it was more difficult with firms. BO, RC & HA agreed to work on this. <u>Draft Complaints Guidance</u> The FMSB welcomed and approved the draft complaints handling guidance for mediators. The FMSB agreed to suggest text for firms to add to their website regarding complaints handling. <u>Regular Complaints Report</u> The FMSB noted the regular complaints report which showed an increase in the number of complaints received.	HA to add points A&B to workplan BO, RC & HA to work on identifying patterns of complaints HA to send complaints handling guidance to FMC board and publish together with suggested text for websites
3.2	Assurance	
	The FMSB recalled that it had identified assurance as a priority for 2026 and that it had agreed to focus on the important area of screening and assessment for domestic and child abuse in the first instance. The FMSB noted that the DCA panel had completed the matrix for assurance (see item 5.1) but upon reflection this process may have been too granular and focussed on existing mechanisms, and the panel may benefit from being asked to take a wider view of the aims of the FMSB to prevent breaches of standards, learn the extent of compliance with standards and to correct any breaches. The FMSB noted that it was asked to - comment on the balance of the Board's assurance mechanisms - consider the scope and potential priorities for a more active approach to SDCA assurance, particularly in light of the publication of and training in the DCA resource	

- consider challenges of implementation, e.g. the feasibility of introducing a strategy for performance data collection and management.

The FMSB noted that its assurance mechanisms, as identified by the DCA panel, rested heavily on PPCs. The FMSB also noted that PPCs were faced with increasingly complex challenges often and often did not charge for their expertise. The FMSB noted it was important that the value of PPCs was recognised.

The FMSB briefly discussed the possibility of introducing a more formal channel of communication between PPCs and the FMSB. The idea was welcomed but no specific proposals were put forward during the meeting.

The FMSB noted that many PPCs were not remunerated properly, particularly when supporting mediators working towards accreditation as a result of those mediators not being able to earn very much from mediation.

The FMSB noted that it had previously agreed to track whether mediators have undergone training in screening and assessment for domestic abuse through the re-accreditation process. The FMSB was concerned that this may not show that practice had developed as a result of the training, and therefore it was agreed to add to the re-accreditation form a question about how the training would benefit clients (as is asked for other training courses).

The FMSB noted that it may have limited capacity for other proactive assurance mechanisms although it noted that spot checks could be carried out at relatively low cost and court therefore be a very effective assurance mechanism.

The FMSB noted that data collection and analysis could provide a valuable tool in assuring the quality of mediation. The FMSB noted that it is often firms, rather than individual mediators, that would collect relevant data and that the FMSB did not have a

	formal relationship with firms at present (although this issue is being explored through the governance consultation). The FMSB noted that an academic approach to data collection and analysis through sampling could provide it with information about compliance without having to collect data about every mediation that takes place. HA & RC to add this issue to the FMC's research interests for the academic workshop (see item 4.2). SH noted that NFM would be happy to act as a test case for data collection if required.	HA & RC to add this issue to the FMC's research interests for the academic workshop (see item 4.2).
3.3	Training	
	The FMSB acknowledged LA & SH had declared an interest in training, as had LB who had left the meeting due to a diary clash. The FMSB agreed that there was no commercial advantage to LA & SH remaining in the meeting to discuss this item. The FMSB noted that it had identified a number of issues that it wished to review that related to training, and the training panel had proposed liaising with training providers as a first step to understanding the work that needed to be undertaken in relation to these issues. The FMSB noted that the consultation focused on foundation training, and also covered an important issue regarding CIM refresher training. The FMSB considered whether the consultation should go wider and include CPD, but agreed that it did not have resources to explore wider issues at present. Similarly, the FMSB discussed but agreed not to widen the scope of consultation to address questions about the level of entry in to the profession. The FMSB discussed and agreed to add a prompt for trainers to share ideas about how training providers could link mediators from the end of training to the start of mediation practice. The FMSB agreed to write to training providers separately regarding fees.	

	AB & HA to finalise the letter. The FMSB noted that the FMC had agreed in principle to a different structure for reviewer fees, and fee increases. AB & HA & RC to draft a separate letter to training providers.	AB & HA to finalise letter to training providers AB, RC & HA to draft letter re fees
4.	Reports	
4.1	Chair's Report	
	The Chair noted that he had attended the launch of the most recent Family Solutions Group report, 'Putting Children First' which was aimed at encouraging family lawyers to help their clients put their children's welfare first by reducing parental conflict and hearing the voice of the child.	
4.2	FMC Report	
	The FMSB noted the draft minutes of the FMC meeting held on 11.3.26. The FMSB thanked the FMC for welcoming the establishment of the joint CIM working group. The FMSB welcomed the academic workshop to be hosted by the University of Warwick in partnership with the FMC. HA to circulate the invitation to the FMSB for forwarding on to academics who may be interested. The FMSB noted the draft governance consultation, proposing that the FMC's role to promote mediation and to provide protection to the public be further emphasised, and that additional questions for non-mediator respondents may be needed. FMSB members were invited to send any additional comments on the draft consultation document to HA by 16.4.26.	
4.3	Chief Executive Officer's Report	
	The FMSB noted the CEO's Report and in particular the growing number of mediators on the register. The FMSB noted that there remains concern about the low number of mediators conducting legal aid.	

5.	Updating & Discussion	
5.1	DCA Panel	
	The FMSB noted the draft minutes of the DCA Panel meeting held on 2.3.26 and the assurance matrix (also referred to in 3.2 above). The FMSB noted the proposed plan for an event for domestic abuse advisers which explained the FMSB's training and assurance processes for mediators in cases where there had been domestic abuse.	
5.2	Accreditation Panel	
	The FMSB noted the draft minutes of the Assessors' Meeting held on 23.2.26 and thanked assessors for their ongoing work. The FMSB noted the 2025 Accreditation Statistics & Draft Commentary, and agreed this could be published once the Accreditation Panel had reviewed it.	HA to send to FMC board and publish 2025 Accreditation Statistics & Commentary once approved by the Accreditation Panel
6.	Future Meeting Dates	
	• 10 June, 11am – 3pm In Person (London) • 16 September 11am – 3pm In Person (London) • 9 December 11am – 3pm (Jt FMC FMSB Meeting) in Person (London)	