



**Family
Mediation**



The Law Society



Frequently asked questions Family Mediation Accreditation: Portfolio route

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Questions?

If having read the frequently asked questions and **the Scheme** guidance notes you have any other queries, please contact the accreditation office:

Tel: 020 7320 5797

Email: accreditation@lawsociety.org.uk

Eligibility to apply for accreditation

I am not a solicitor, can I apply?

The Law Society's Family Mediation Accreditation is open to any mediator who has successfully completed their initial or foundation training with an **FMC** recognised mediation organisation and who meets the requirements for accreditation. If you are a mediator who has already obtained accreditation or who has been competence assessed via one of the exiting other routes, you can apply via the passported route to join the accreditation. Full details are provided in the accreditation application guidance notes, which can be accessed on our [website](#).

I completed my initial/foundation training more than three years ago, can I still apply?

You should talk with your PPC about the reasons why you have not been able to apply for accreditation within the required three-year limit. The **FMC** standards set out information in relation to those who have trained but not accredited (see **FMC Professional Standards and Self-Regulatory Framework Part 1.**, s.3., s.3.6/7).

I trained with an organisation which is not a member of the Family Mediation Council or approved by one of their member organisations, may I apply?

You should contact the member organisation that you trained with for further guidance. The Law Society, as a member body of the **FMC**, only accredits mediators from **FMC** member organisations.

I have only completed three mediations, is that sufficient to apply?

The requirement is as follows:

- either three or four case commentaries, in which you have undertaken a substantive lead and full or extensive agreement has been reached.

If you provide **three** case commentaries they must include:

- one "all issues" mediation
- one property and finance mediation; and
- one children's arrangements mediation

Two of the three cases must include Memorandum of Understanding (**MOU**) and Open Financial Statements (**OFS**).

If you are unable to submit an "all-issues" case, you may instead submit **four** case commentaries, which must include:

- two "property and finance" cases, both of which must include Memorandum of Understanding (**MOU**) and Open Financial Statements (**OFS**)
- two "children only" cases, at least one of which must include a Memorandum of Understanding/Outcome Statement or Parenting Plan

- Three of the four cases must include Memorandum of Understanding/Outcome Statement or Parenting Plan, you must also ensure that for one of your cases you also submit substantive documentation (session notes/any substantive correspondence).

please note, in either category, one of your cases must include full, substantive case paperwork in addition to the MOU/OFS or Parenting Plan

Whether you submit three or four cases, you may choose to submit **one** case which has not completed/ concluded but which you believe evidences your use of mediation skills and which has learning outcomes you can reflect on in your commentary. You should submit any actual or draft summaries of sessions completed and any actual or draft interim confidential MOU/summary of proposals /OFS or Parenting Plan/s if drafted.

You may also submit client outcome documentation (MOU/OFS/ and/or Parenting Plan) for **one** of your cases that was not wanted/required by clients but which you have prepared for your portfolio submission

You should carefully assess your practice experience against the competencies to ensure that you can meet them, and discuss your level of experience with your **PPC** who will be able to assist you in deciding whether you have sufficient experience to evidence the competencies or that you should delay your application until you have sufficient experience to do so. Remember, you must be able to show how you have met all the competencies across the entirety of your portfolio submission.

I have completed a number of mediations, but the clients don't want documents, so I don't have enough cases to submit, what can I do?

From June 2019, the FMSB has agreed that mediators may submit **one** of their cases where they have prepared client outcome documents from a completed case (but not provided to the clients) for the purposes of their portfolio submission.

I have completed two cases, one children and one finance and property and I have an all-issues case that did not conclude, may I use that as my third case or should I submit four cases?

You may submit three cases with one not completed or concluded case. Please remember that if you choose to submit an all-issues case that did not conclude/complete, you it should as a minimum have reached some or partial agreement on some issues, had more than one joint meeting and if all issues, substantial disclosure should have been achieved. You will need to submit any draft or actual summary documents and, you should have completed a substantive level of financial disclosure. Remember that you must be able to demonstrate you have met all the competencies across the entirety of your portfolio submission. You may find it helpful to discuss submitting an all-issues case that didn't complete/conclude with your PPC.

I specialise in child only mediation practice, may I still apply?

Accreditation can only be attained in relation to all-issues mediation and you must be able to evidence that you meet all the competences as listed. You may latterly decide to act as a child only specialist but please bear in mind that in order to re-accredit, you must be able to demonstrate currency of knowledge and practice in relation to all-issues mediation.

I haven't attended a Child Inclusive Mediation (CIM) Awareness and Understanding Day, can I still apply?

After 1st September 2019, mediators are required to attend a CIM Awareness and Understanding Day before they submit their portfolio for accreditation. There are also some additions to the competencies that also reflect the move to CIM practice and which you should be aware of. CIM Awareness and

Understanding Days are being offered on a regular basis by the Membership Organisations of the FMC and details are published in the FMC Newsletters.

I haven't observed any mediations and my PPC has not observed my practice, can I still apply?

The **FMC** Standards introduced on 1 January 2015 set out a requirement that a mediator must observe a mediation session conducted by an **FMCA** mediator (and provide an evaluation and reflection on what they observed). From June 2019 the FMC has changed the requirement for a mediator being observed by their own PPC to allowing, with **the agreement and knowledge of their own PPC, observations by another PPC or an FMCA mediator who has three years' post-qualifying experience**, who will provide feedback to the mediator on what they observed. This requirement forms part of the overall portfolio for accreditation. You should, in the first instance discuss your situation with your **PPC** and ensure that you check information being issued by the **FMC** in respect of arrangements set out by them.

Preparing to apply

I trained before the move to the new FMC Standards were established and don't have a full three year record of my development with my PPC. What should I do?

You should, in the first instance, talk with your **PPC** to establish between you what deficiencies you have in your record of learning and development, time spent with your **PPC** or any gaps in your practice generally. Your **PPC** must be able to provide a professional development statement with your portfolio that meets the requirements set out by the **FMC**. However, there is also provision in the standards for exceptional or extenuating circumstances which you and your **PPC** may wish to consider for your own situation. (See also **FMC Professional Standards and Self-Regulatory Framework**, Part 1., s.3., 3.6/7) You or your **PPC** may also contact the **accreditation office** for further guidance having considered your situation, the **FMC** published standard and any exceptional or extenuating circumstances that may apply.

I have asked my PPC to give me a Professional Practice Development Report Statement and they wish to charge me for it.

Please bear in mind that your **PPC** will be providing the statement based on their knowledge and assessment of you and your practice. **PPCs** are aware of the critical role that they play in the development of mediator practice and will want to take time to consider your development to date, to gather and check information and to complete the report. It is therefore a piece of work that will take their professional time and skills and should be paid for.

I have recently changed my PPC, who should complete my Professional Practice Development Statement?

You should discuss this with your current **PPC**. If your new **PPC** feels that they are unable to comment in all the sections of the report, it may be necessary to discuss what your previous **PPC** can comment on, in which case, the report should be signed by both **PPCs**.

Preparing my initial accreditation application form and portfolio documents

One of the cases I am going to submit is very similar to a question in the case study questions section, can I just refer the assessor to my case report?

You can, but please consider how you can best provide all the evidence required that will assist the assessor in deciding on your competence – you might choose to answer another question in the same section in order to provide the widest possible demonstration of your competence.

I have a case that I want to submit but it falls outside the two-year limit. What should I do?

Provided the case is less than three years old at the time of your application, you can submit the case but you must provide an explanation as to why it falls outside the time limit, which should be approved and counter-signed by your **PPC**. Reasons may include a break in practice (please provide the reason for the break in your practice e.g. career break, parenting leave etc. or because of e.g. illness). If you have been given an extension by the FMC to complete your accreditation, please refer to the information provided by the FMC about age of cases that can be submitted. Please note that we reserve the right to ask you to submit a more recent case.

Can I submit a case that hasn't completed/concluded?

Yes, you can. Whether you are submitting three or four cases, you can choose to submit **one** case that did not conclude but which nonetheless, you believe allows you to demonstrate skills competencies and on which you can reflect on your personal learning outcomes as a result. It may be an AIM, Finance and Property or Children case but it should as a minimum have reached some or partial agreement on some issues, have been more than one joint meeting and if financial or all issues, substantial disclosure should have been achieved. You will need to submit any draft or actual summary documents and if it is a financial case, you should have completed a substantive level of financial disclosure. Remember that you must be able to demonstrate you have met all the competencies across the entirety of your portfolio submission. You may find it helpful to discuss submitting a case that didn't complete/conclude with your PPC.

What is a 'reflective account'?

When you write reflectively as a professional, you should consider how you can best set out what you did (the skills you used), why you decided to intervene or act in the way that you did (planned intervention), what you learned as a result of acting in the way that you did and what, if anything, you could or might have done differently having reflected on your actions or interventions. Writing reflectively allows you to consider carefully your own practice and to demonstrate (e.g. to an assessor), your depth of knowledge, skill and your ability to consider and reflect on your own actions.

I don't prepare Parenting Plans, can I still submit a child only case without one?

Yes, you can. As mediation moves into the new arrangements for family justice services all mediators should be aware of the value to parents of having a document which sets out their aspirations and contingencies for all aspects of their future co-parenting. Examples of parenting plans can be found at <https://www.cafcass.gov.uk/grown-ups/parenting-plan>, but in many cases mediators commonly prepare a **Memorandum of Understanding**, which sets out arrangements for future separated parenting.

After I submit my application

How long before I can expect to hear about my application?

We will acknowledge safe receipt of your application. In general, you should expect to hear on outcome of your application within six to eight weeks of submission; however, this may take longer during busy periods and or where missing or further information is required.

What outcomes can I expect?

There are three possible outcomes to any assessment:

Accreditation: where the mediator has met the required standard, is eligible for accreditation and is admitted to the Scheme.

Request Further Information: where the Assessor requires you to submit further information, this might be additional administrative information such as additional details of your PPC or Professional Development (usually you will have a 7 day deadline to provide this to us) or the Assessor may require the mediator to submit a further case commentary and/or client documentation, in which case, they will also provide you with information about what is required or that they expect to see in any further submission and a deadline (up to a maximum of 6 months) to provide it. Full information is set out in the Portfolio Guidance Notes.

Required Standard not demonstration/Refusal: where substantial work is required that is not likely to be feasible within 6 months. You will be provided with feedback from the Assessor about the areas to be addressed in any further application and you will need to make a fresh application for accreditation.