



Code of Practice for Professional Practice Consultants (PPCs)

1 General Introduction

The College of Mediators (the College) is committed to continually developing excellent standards of mediation practice, supported by high quality supervision, in every field of mediation. The terms Supervisor and Professional Practice Consultant (PPC) are inter-changeable. The College requires PPCs to adhere to the standards of training and practice set out in this document.

The Professional Practice Consultants Code of Practice (PPC Code) identifies the key role that PPCs have in supervising and supporting mediators in their practice. The PPC Code defines the standards of training and practice that all PPCs must maintain in order to provide consistent professional support for their supervisees. In particular, it is the standard which a PPC must adhere to if they wish to be listed on the College register of mediation PPCs, or if they wish to supervise mediators who are members of the College.

The College PPC code incorporates the standards required by the Family Mediation Council's manual of Professional Standards and Self-Regulatory Framework (September 2014).

2 Purpose

The purpose of this PPC Code is to:

- Establish an agreed standard of professional practice for College PPCs.
- Provide a benchmark for PPCs on their role, duties and responsibilities.
- Inform mediators about the role of their PPC and the about the responsibility and accountability they have in their relationship with their own PPC.

3 Definitions

- a. **Mediation** is a process in which an impartial third person assists those involved in conflict to communicate better with one another and reach their own agreed and informed decisions concerning some, or all, of the issues in dispute.
- b. **Mediator** means a person trained in accordance with the requirements of the College and adheres to the College's Code of Practice for Mediators offering such

mediation. Family mediators will additionally adhere to the standards laid out by the Family Mediation Council (FMC).

- c. **Supervisee** means a mediator whose professional practice is being supervised by a Professional Practice Consultant (PPC).
- d. **Professional Practice Consultant (PPC)** means a specifically trained and experienced mediator who supervises the professional practice of other mediators.
- e. **A mediation provider** is an organisation (which may consist of one or more mediators) whose purpose or purposes include the provision of mediation services to members of the public.
- f. **Family Mediation Council (FMC)**. The Family Mediation Council is comprised of six mediation member organisations (MOs): ADR, the College, Family Mediators Association (FMA), National Family Mediation (NFM), Resolution and the Law Society.

4 The role and responsibilities of PPCs

The role of the PPC is to oversee the professional training and ongoing professional practice of their mediation supervisees. The three essential elements of supervision are:

- Support – to help the mediator to reflect on and learn from practice, to think collaboratively about options for practice, and to develop an efficient and effective approach to mediation.
- Development – enabling the mediator to learn about ideas and experiences that may affect their work and to reach their potential as a mediator.
- Accountability – ensuring that the mediator’s practice meets the professional standards required by the College, their service and, in the case of family mediators, the FMC.

This will involve regular one to one meetings with the supervisee, reviews of the supervisee’s mediation files and professional summaries, encouragement towards appropriate developmental training and supporting the supervisee through any accreditation process.

Supervision can include:

- Providing tips, ideas and positive encouragement for mediators trying to secure their own mediation work and helping mediators network with mediation suppliers/other mediators.
- Reviewing and discussing changes in legislation and standards and disseminating research findings.
- Discussing professional practice matters arising in mediation cases, including ethical issues.
- Identifying best approaches and the most appropriate model of mediation in unusual/challenging situation

- Clarifying professional practice learning needs and planning of effective professional practice development.
- Monitoring the mediator's continuing professional development (CPD), ensuring that they do enough and the right amount of CPD.
- Monitoring documentation produced in mediation (e.g. correspondence, session notes and sets of summaries).
- Ensuring the standards of regulatory bodies are upheld.
- Taking a pro-active role in supporting the mediator's portfolio, accreditation and re-accreditation.
- Providing a declaration of PPC meetings to support portfolio, accreditation and re-accreditation work.
- Assisting, guiding and supporting where there may be issues of harm (e.g. domestic abuse or child protection) and complaints by clients.

The PPC must provide the supervisee with a written record of the PPC session in accordance with the PPC contract and section 9 of this code.

PPCs must act within their own capabilities and seek assistance from their own PPC when information, advice and support are needed regarding PPC issues.

5 Basic Requirements for training as a PPC

Prior to specific training as a PPC, a mediator must:

- a. have been practising continuously as a mediator for at least three years.
- b. be deemed competent, i.e. hold Family Mediation Council Accreditation (FMCA), Competent Mediator Scheme (CMS) or equivalent.
- c. have current membership of the College of other recognised MO.
- d. be supported by their own PPC for their training and for subsequent practice.

6 Training and Development

- All PPCs must have successfully completed a mediation PPC foundation course, approved by the College, the FMC or another member organisation of the FMC.
- PPCs must continue to be in current practice as a mediator, with a minimum of fifteen hours practice each year.
- PPCs must carry out a minimum of four hours supervision practice each year.

- PPCs who supervise family mediators who are qualified to conduct Direct Consultation with Children must be similarly qualified.
- As a mediator, the PPC is required to undertake four hours of supervision relating to their own mediation practice. PPCs must ensure that they include a discussion on their PPC practice in each quarterly supervision session.
- In addition to gaining CPD hours for their mediation practice, PPCs must gain five CPD hours each year specifically in relation to their work as a PPC. This could be a 'best practice' day organised by the College or other MO or other approved training.
- PPCs should be able to provide summary records of their PPC activity each year
- It is desirable that PPCs should have a post-graduate qualification in Mediation Studies or in a related discipline.

7 Annual Registration as a PPC

- College mediators who have successfully completed an approved PPC foundation course and who meet the other basic requirements must apply personally to the College to be placed on the College register of PPCs.
- PPCs supervising mediators in different specialisms should be similarly qualified in that specialism.
- PPCs are re-registered annually by the College. In line with the requirement for family mediators, PPCs in family mediation must re-register with the FMC every three years.

8 Insurance

PPCs must hold professional indemnity insurance covering their PPC activity

9 Written Contract

The terms for the professional relationship between a PPC and her/his supervisee must be set out in a written contract between the parties and signed by both.

This contract should remain in place throughout their PPC/supervisee relationship. It should be reviewed annually to ensure that it continues to meet the needs of the supervisee. Termination by either party should be subject to at least three months' notice, unless there are exceptional circumstances.

The contract between PPC and supervisee should refer to this Code with regard to roles and responsibilities. It should set out the following:

- The expected hours of attendance at supervision meetings, which should at least equal the amount of attendance stipulated by the College, i.e. four hourly sessions per year – one in each quarter, two of which must be one to one and two of which may be group sessions. Of

the one to one sessions, one per annum may be carried out remotely via telephone or online (Skype, Zoom or similar) and at least one per annum must be face to face.

- The fee and expenses payable by the supervisee to the PPC.
- Any other services from the PPC which may be chargeable, besides attendance at supervision meetings, e.g. reviewing summaries, telephone supervision, complaints handling, professional reports for FMCA/re-accreditation and the hourly rate at which they will be charged.
- The confidential nature of the sessions and any exceptions to this, including those set out in Section 9 below.

In addition, the contract should:

- Include provisions securing data protection and equality and diversity policies.
- Specify the PPC's role when dealing with complaints against the mediator.
- Require the PPC to record each supervision session, noting the date, type of session, cases and issues discussed. Agreed actions should be recorded with timescales. Supervisees should countersign the session notes.
- The contract should set out the process for any handover from the PPC to another in the event of termination.

10 Confidentiality

PPCs have an obligation to treat all their dealings with any of their supervisees as confidential except in the following circumstances:

- a. Where the supervisee authorises the PPC to break confidentiality
- b. Where issues arise concerning harm or risk of harm to any child or adult
- c. Where a crime has been, or is likely to be, committed
- d. Where required by the Proceeds of Crime Act 2002
- e. Where required under the Data Protection Act 1998
- f. Where otherwise stated in the mediation contract
- g. Where the PPC identifies a serious breach of a code of practice, the PPC may inform the supervisee's MO

11 Complaints

- If a complaint is made by a supervisee's client about the supervisee, that complaint should be handled in accordance with the Complaints' Procedure of the MO of which the supervisee is a member.
- Any complaint by a PPC about a supervisee should be made to the MO of which the supervisee is a member, but only after initial discussion (or attempted discussion) with the supervisee have failed to resolve the issues. These should involve the mediation provider, if any.
- Any complaint by a supervisee about their PPC should be made both to the MO of which the supervisee is a member and to the MO of which the PPC is a member but only after initial discussion (or attempted discussion) with the PPC have failed to resolve the issues. These should involve the mediation provider, if any.
- A PPC may be invited by an MO to investigate the circumstances of complaints against a mediator who is not their supervisee. If the PPC accepts the responsibility, they should investigate the complaint in accordance with the complaints procedure of that MO.
- Where a complaint is upheld, the PPC may require the supervisee to engage in supervision specifically to consider the supervisee's practice and the mediation practice issues that may have resulted in the complaint.

12 Conflict of Interest

PPCs are engaged by legal entities (including sole practitioners) to work with individual mediators or groups of mediators. A PPC must not work with a mediator, a mediation provider or service when a conflict of interest exists that may inhibit the PPC from providing impartial advice and support, or from acting appropriately where mediators deviate from the Code of Practice. This includes, but is not limited to, situations where the PPC has a close personal relationship with the supervisee, or is in another economic relationship with the mediation provider that would allow it to place undue pressure on the PPC.

13 Changing PPC

Where a mediator's PPC changes, the new PPC must contact the previous PPC to confirm the reasons for the termination of the previous contract and to acquaint themselves with any practice issues or concerns which the previous PPC had.

Appendix 1

The agenda for the first supervision meeting should contain the following items:

- A review of the assessor's feedback and comments on the supervisee's foundation training course and any action required.
- An explanation of the role and responsibilities of the PPC.
- The charging rate of the PPC.
- The required hours of supervision per annum.
- The required hours of Continual Professional Development and the need for using approved training courses.
- Discussion of a training and development plan.
- A compilation of an annual appraisal and training and development plan.

In addition to the above, the first meeting for a family mediator must include:

- An explanation of the role of the FMC and its MOs.
- An explanation of Mediation Information and Assessment Meetings (MIAMS) and the FMC requirements for the carrying out of these, including the role of the PPC.