**PRIVATE & CONFIDENTIAL**

**Client Information Form**

**PLEASE COMPLETE AND RETURN THIS FORM BEFORE YOUR MEETING.**

**We do not pass your information on to the other party, without your prior consent.**

|  |  |  |  |
| --- | --- | --- | --- |
| **Forename** |  | **Address 1** |  |
| **Surname** |  | **Address 2** |  |
| **Telephone** |  | **Town** |  |
| **Mobile** |  | **Post code** |  |
| **Email** |  |
| **IMPORTANT FUNDING INFORMATION (this must be completed)**Please read the accompanying Legal Aid Eligibility details contained within this pack. Based on the details, do you believe you may be entitled to Legal Aid? (please delete as appropriate) **YES** **NO**  |
| **Dispute relates to: (please cross out or delete leaving the applicable)** **child arrangements financial property** |
| **Have you previously gone through the mediation process? YES NO** If YES, what was the date of your MIAM? Date the process ended: |
| **Your Children** (if applicable) Please continue overleaf or add more rows if you need more space. |
| Forename | Surname | D.O.B. | School | Lives with | Special needs? |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
| Has there ever been any involvement from Social Services? **YES NO**. If yes, please give brief details: |
| **Details of OTHER PARTY (e.g. your husband, wife, ex-partner, son, daughter)** |
| **Forename** |  | **Address 1** |  |
| **Surname** |  | **Address 2** |  |
| **Telephone** |  | **Town** |  |
| **Mobile** |  | **Post code** |  |
| **Email** |  | **DOB** |  |
| **Details of your relationship** (if applicable) |
| **Date of marriage** |  | **Date of separation**  |  |
| **Month and year you began living together** |  | **Month and year you ceased living together** |  |
| **If married, date of decree nisi**  |  | **decree absolute** |  |
| **Have there been any reports or convictions of domestic violence to the police within the last 12 months?** **YES NO**.If yes, please give brief details: |
| **Name and date of any court orders (e.g. child arrangement order, restraining order):** |
| **Do you have a disability or mental health condition that could be affected by, or affect your ability to mediate? YES NO** |
| **Please confirm by ticking if you have received a copy of the following documents and have read and understood them:** |
|  | **Please tick**  |
| **Our Privacy Policy** |  |
| **Our ‘New Client Information’ document** |  |
| **Our Complaints Procedure** |  |
| **CAFCASS Parenting Plan template (if child related mediation)** |  |
| **GDPR and the Data Protection Act 1998** **CONSENT****Please insert your initials in the relevant, yes or no, box.**  | **Yes** | **No** |
| Do you give consent to Family Mediator Bath using the personal information you have given herewith to facilitate the mediation process, which may involve sharing your details with third parties? For instance, our mediator’s self-employed Personal Assistant, or your solicitor, if applicable? |  |  |
| Do you give consent to Family Mediator Bath using your personal information to contact you about your mediation by **telephone?**  |  |  |
| **What is your preferred contact number** |  |
| Do you give consent to Family Mediator Bath using your personal information to contact you about your mediation by **email** |  |  |
| Do you give consent to Family Mediator Bath using your personal information to contact you about your mediation by **post** |  |  |
| Do you give consent to Family Mediator Bath contacting the other party(ies) named, as part of the mediation process? Please note, will not do this without informing you before. |  |  |
| Do you give consent to Family Mediator Bath giving your personal information to the courts (if applicable)? |  |  |

New Client Information

**Family Mediator Bath (FMB)**

 ***Thank you for choosing Family Mediator Bath as your mediation service provider.***

Our team

Our Accredited (FMA) Family Mediator: Mr Shiel Macmillan

Our Administrator & Personal Assistant to Shiel Macmillan: Mrs Els O’Gorman

Contacting us

Our Administrator is available by telephoning 01225 684504 between 9 am & 12 noon, Monday to Thursday. Between Friday and Sunday, no one is available in the office.

Our telephone lines can get busy during these times; therefore, we have set up a service where you can arrange a call from our Administrator outside of her normal working hours. We understand, due to work and other commitments you may not be able to call in the morning. Please bear in mind, callbacks are outside our Administrator’s normal working hours. You can arrange a call back on our website: [www.familymediatorbath.com/book](http://www.familymediatorbath.com/book).

If you require someone to contact you urgently, please email the office (info@familymediatorbath.com), stating ‘URGENT’ in the subject heading and we will endeavor to get back to you as soon as we are back in the office or at the earliest possible time.

Shiel does not correspond outside of the formal process. Therefore, Shiel is only available during pre-arranged meeting times.

Appointments/Cancellations

Shiel provides very flexible appointments, from 9.30 am to 7 pm, Monday – Thursday.

Family Mediator Bath requests that all meeting fees are paid in full at the time of booking unless otherwise discussed.

Our MIAMs and Mediation Meetings take place via Zoom. You will receive an email around 30-minutes before your meeting with meeting link. Please ensure you have downloaded Zoom onto your device in preparation. Please also ensure you have given Zoom permission to use your microphone and camera on your device. For help with joining a Zoom call, please watch this helpful [video.](https://www.youtube.com/watch?v=OD2aDKzfZWk) We do not offer in person meetings, unless there are exceptional circumstances which deem online mediation unsuitable.

On joining the meeting, you will wait in a virtual waiting room until our Family Mediator has connected to the call. Our Administrator will then ensure that all participants can hear each other, and all technical aspects of the call are satisfactory. On establishing this, our Administrator will make the Mediator the host of the meeting and leave to retain your confidentiality. If you have any technical problems during the call, please call the office number and someone will be on hand to help in this instance.

If you need to cancel or reschedule your appointment, please give us 48 hours’ notice, otherwise this could incur an administration fee of £20.

Before meeting with the other party in a 3-way mediation session you will be required to read and agree on an Agreement to Mediate, which will be made available to you.

For financial situations, you will be required to complete a Financial Statement and its associated appendix and an income and expenditure form. The templates of these documents are available at the bottom of our website home page. You will receive a link to a confidential Dropbox file where we ask that your financial forms and evidence be place. We ask that you **do not** send any of your financial information to us via email. Once your financial documents are complete, we will draw up an Open Statement of Financial Information (incurs a fee) then you will be free to book your first 3-way meeting where the contents of this can be discussed prior to drawing up a Memorandum of Understanding (incurs a fee).

Information, not advice

Mediators cannot give legal advice, only information, therefore if you believe your situation may end up in court, you can contact Bristol Family Law Advice Team on 0117 366 4809. Alternatively, please contact Citizen’s Advice.

Fees

*We do not facilitate publicly funded mediation however we try to help anyone enquiring with us to establish if they would be entitled and refer them to someone who can help. Our clients begin mediation with us on the understanding that we do not have such provision and if they were to become eligible, they would need to pursue mediation services elsewhere if they wished to be publicly funded. The online calculator for legal aid can be found* [*here.*](https://www.gov.uk/check-legal-aid)

Privately-funded

* Mediation Information and Assessment Meetings (MIAM)
	+ £99, per person.
	+ The meeting lasts for around 45 minutes to an hour
	+ Both parties are required to complete a MIAM before any 3-way mediation can occur
* Family Mediation Meeting (both parties and the mediator)
	+ £150 per person, per 90-minute meeting
* Confirmation of MIAM attendance for court purposes
	+ £49, per document required
	+ Completed Page 9 of a C100 form, sent as a pdf via email to the client
	+ Completed Page 12 of Form A, sent as a pdf via email to the client
* Open Statement of Financial Information
	+ £130, flat rate fee, per person
* Memorandum of Understanding
	+ £130, flat rate fee, per person
* Parenting plan
	+ £130, flat rate fee, per person

Privacy Policy

**Family Mediator Bath (FMB)**

FMB works within the requirements of the Data Protection Act 1998 and the General Data Protection Regulation 2018 (GDPR).  FMB is registered with the Information Commissioner’s Office (ICO) and subject to their oversight and regulation.

This privacy notice outlines the reasons we ask for your personal data, how we manage and look after the data you give to us and your rights under GDPR.

FMB is committed to ensuring the lawful and careful collection of your personal information, the appropriate use and secure storage of your personal information and that we meet our other commitments under the regulations.

Please be assured, your information will not be used by us nor shared with anyone or any organisation for marketing purposes

We are committed to keeping your data as safe and secure as possible and to protecting it against unauthorised access.  However, as transmission of information electronically can never be completely secure, we cannot guarantee complete security and your information is provided to us electronically (via the internet/by online means) at your own risk.  When requesting information from us by electronic means or sending information to us by electronic means, it is important that you ensure you do so via a channel which you trust to be safe.

**Why we need certain personal data from you**

FMB provides family mediation service and related services.  The reason we need to process some of your personal data is to enable us to provide those services

* as part of a contract with you
* to give you access to the mediation information and assessment (MIAM) process introduced under the Children and Families Act 2014, s10.

**Information we collect**

We may collect the following information in order to provide a service to you/make a contract with you/provide access to MIAM:

* Personal information including your name, email address, mailing address, phone numbers, date of birth, national insurance number.
* Details of your children and/or details of your finances\* dependent on the type of services we are being asked to provide to you.
* From time to time and as permitted by applicable law(s), we may collect other Personal Data about you and update any existing Personal Data that we currently hold from other third-party sources.

**We collect your information from**

* Referral Forms on our website (these may be completed and submitted to us by you or your representative at your request with a view to FMB providing you with a service)
* Referral Forms on our website completed and sent to us by a third party to enable us to give you access to the mediation information and assessment (MIAM) process introduced under the Children and Families Act 2014, s10.
* Electronic and paper-based communications from other referring agencies including but not limited to Cafcass, Family Law Solicitors, HM Courts Services
* Telephone conversations, emails, face to face written or verbal communications with you, your representative or a third party
* Our appointment/session records

**How we Use Your Information**

* To provide our services under our contract with you
* To respond to your requests and enquiries
* To give you access to a MIAM
* To improve our services, for example, by requesting feedback, your participation in surveys or other initiatives which will help us to gather information to develop and enhance our services
* To comply with applicable law(s), for example, to comply with a court order or to carry out professional ethics/conduct investigations
* To enable us to maintain our own accounts and records and to support and manage our staff.

**Lawful Processing of data**

We collect and process data in line with our legitimate interests, which include processing such Personal Data for the purposes of

* providing a service to you at your request under contract, and enhancing the provision of our services
* providing access to a MIAM
* administration and service delivery

**How long will we keep your information?**

Files are stored for a maximum of 6 years

**Sharing and Disclosure to Third Parties**

We do not share your personal data with any third parties except in the following circumstances

* All information gained through mediation is shared with our self-employed Personal Assistant, who herself is registered with the Information Data Commissioner and abides by Family Mediator Bath’s privacy policy. This is with the sole purpose of facilitating the administrative side of the process.
* Where there is a risk to children, when we have a duty to alert the relevant authorities (usually local authority social workers) as part of our overall responsibility to safeguard children
* Where you request or authorise the disclosure of your personal details to a third party.
* Where we are requested to do so by any law enforcement agency, regulator, government authority where we believe this Is necessary to comply with a legal or regulatory obligation
* Where we transfer our assets and business to a third party. Should such a transfer arise, we will use all reasonable efforts to try and ensure that the organisation to which we transfer your information uses it in a manner consistent with this policy.

**Where the information is provided to service providers who perform functions on our behalf.**

* Hosting providers for the secure storage and transmission of your data
* Administration providers
* Legal and compliance consultants, such as external auditors
* Technology providers who assist in the development and management of our website

**Parents and Children**

If the person about whom we are holding information is below the age of 14 then we will need to seek consent from the parent or legal guardian to provide a direct service (where consent is required).  Once a person reaches age 14, we will seek consent direct from them to provide services.

**Subject Access/User Rights**

Your rights with regard to the data we hold on you are as follows.  You have the right to

* be informed of our use of your Personal Data
* access and/or to require the correction or erasure of your Personal Data
* block and/or object to the processing of your Personal Data
* not be subject to any decision based solely on automated processing of your Personal Data
* in limited circumstances, you may have the right to receive Personal Data in a format which may be transmitted to another entity.

If you have a complaint in relation to the processing of your data carried out under this Privacy Policy, you have the right to lodge a complaint with the Information Commissioner’s Office.

You may seek to exercise any of these rights by sending a written request to:

Shiel Macmillan, Proprietor

Family Mediator Bath, 8 Havory, Bath, BA1 6RR

**Information security**

We work to protect your personal information that we hold, its confidentially, integrity and availability by.

* regularly reviewing our information collection, storage and processing practices, including physical security measures, to guard against unauthorised access to systems
* restricting access to personal information to Staff and Volunteers subject to strict contractual confidentiality obligations including disciplinary action if they fail to meet these obligations
* ensuring we have a Security Information Policy in place which defines the measures we take to protect your personal information. We use a combination of technology and procedures to ensure that our paper and computer systems are protected, monitored and recoverable.
* We only use third party service providers where we are satisfied that they provide adequate security for your personal data.

**Compliance and cooperation with regulatory authorities**

We regularly review our compliance with our Privacy Policy.  If we receive formal written complaints, we will contact the person who made the complaint to follow up. We will work with the ICO to resolve any complaints regarding the transfer of personal data that we cannot resolve with our users directly.

**Changes**

Our Privacy Policy may change from time to time. We will not reduce your rights under this Privacy Policy without your explicit consent.

**How to Contact Us**

**E:mail:**info@familymediatorbath.com

**Phone:**01225 684504

Complaints Procedures

**Family Mediator Bath (FMB)**

**Our policy**

We are committed to providing a professional family mediation service to all our clients. We welcome comments, compliments and concerns being raised with us, as this helps us to provide the best service and understand where we might have gone wrong.

If you have a complaint about our practice, please contact us with the details in writing and send to info@familymediatorbath.co.uk. Please enter into the subject heading ‘Confidential and FAO Manager’

**How we deal with Comments, Compliments and Complaints**

The staff member receiving feedback will initially pass the information onto our mediator to record the feedback.

Complaints (including claims of breach of the Family Mediation Council (FMC) Code of Conduct for Family Mediators) may be made by mediation clients (including persons attending mediation information and assessment meetings or other initial consultations), by other mediators (including PPCs), or by others directly affected or disadvantaged by the mediator’s actions. Complainants do not need to be affected personally by the actions of the member where they are making a claim that the member is in breach of the FMC Code of Practice.

If a complaint is raised, the mediator will respond by e-mail, letter or phone, usually within 7 days.

Where appropriate the mediator will offer a further mediation meeting to resolve outstanding issues.

If the person is dissatisfied with the mediator’s response, they should explain in writing why their complaint has not been addressed. This will be passed to the mediator’s Professional Practice Consultant for consultation. We endeavour to respond within 14 days.

On reviewing a complaint, we may call upon an independent Professional Practice Consultant to review the matter and advise the company. In this event written consent will be sought from clients to release their papers to a third party for scrutiny.

The Independent Professional Practice Consultant should report within 14 days of receiving the case file to us and we will then write to the complainant confirming their decision usually within 7 days of receiving the report.

In cases where a breach of the FMC Code of Practice has been identified the mediator will be referred to their member body.

If we have not resolved a complaint within the above timescales, you may make a formal complaint to The Family Mediators Association (FMA). The FMA will not make a charge for investigating complaints. The FMA complaints procedure does not prejudice your right to seek civil remedy.

**Please note, the membership organisation will normally only investigate a complaint relating to the service provided by the member if the complainant has already exhausted the member’s own complaints procedures.**

**IMPORTANT**

**TIME LIMIT FOR COMPLAINTS**

**Any complaint must be submitted to us promptly and in any event not later than 3 months after the grounds to make the complaint first arose. If a complaint is made after this time an explanation for the delay must be given, along with evidence of exceptional circumstances preventing its submission sooner, and we will have a discretion whether to take those circumstances into account.**