Guidance for Reporting Work Under the New Family Mediation Contracts

Version 1.0 – November 2010

This guidance should be read in conjunction with the 2010 Standard Civil Contract standard terms and conditions, Family Mediation Specification and the Funding Code Decision Making Guidance.

It is broken down into 4 sections:

1. Family Mediation Reporting Forms
2. How to Complete the Family Mediation Work Start Form
3. How to Complete the Mediation Consolidated Work Report Form
4. A Check List of Contract Rules for Completing Mediation Submissions

1. Family Mediation Reporting Forms

The two forms for reporting work under the Family Mediation Contract are called the **Mediation Consolidated Work Report Form** and **Mediation Work Start Form**.

The **Mediation Consolidated Work Report Form** will require that you use certain codes when completing the form. It is important that you complete these codes correctly as they have a direct impact on the calculations of the value of your reported work. Ongoing mediations should not be reported monthly – only when they are completed.

When to complete the forms and how to submit them

The **Mediation Consolidated Work Report Form** and **Mediation Work Start Form** must be completed and returned by DX or post on a monthly basis to the specified Regional Office of the Legal Services Commission within 10 days after the end of each month, regardless of the point in the month the matter started and / or was closed. **Faxes will not be accepted.**

For example, a matter started on 1 April must be reported on the Mediation Work Start Form you send in May, as must a matter started on 30 April. Similarly, assessment meetings held and / or mediations completed on one of the days in April should be reported on the Mediation Consolidated Work Report Form that is returned in May.

Any completed work must be reported within three months of completion. Please note that failure to do this may result in payments being reduced or declined. Payment depends on the timely return of these forms. **Failure to comply with these requirements will lead to a severe delay or a downward amendment in your monthly payment.**

All providers must send the two forms each month to the following address:

Legal Services Commission - Chester Office
2nd Floor
Pepper House
Pepper Row
Chester
CH1 1DW ***or***
DX 19981 Chester

All fields are mandatory – with the following exemptions/ rules:

- Where an applicant fails or refuses to provide his or her ethnic origin, the form should record “ref” in the ethnic origin box.
- Where a client does not wish to provide information related to disability please mark the form with the letter “U”.
- Where there are no disbursement costs these fields must be completed as either 00:00 or a dash in the box.
- If there has not been any work undertaken in a category fill in a “nil return”.

Forms will be rejected where mandatory fields are not completed, and may cause a delay of payment. Please write legibly and use capital letters where appropriate, as this will reduce possibilities of any inputting errors.

If no work has started in a particular month then a nil return must be submitted. If no work is completed or closed within a particular month, then again, a nil return must be submitted. To make a nil return you must complete your Contract Number, Supplier Name, and Month details on both forms and write “NIL RETURN”

You do not need to complete all the five rows on the **Mediation Consolidated Work Report Forms** before sending it in. Complete as many sheets as required but remember to complete the lines in the upper right corner indicating how many pages in total there are in a batch.

On the **Mediation Work Start Form** you should record the following data:

- Number of Willingness Tests completed in the relevant month
- Number of Assessment Meetings completed in the relevant month
- Number of Mediations started in the relevant month

On the **Mediation Consolidated Work Report Form** you should record the following data:

- The details of Assessment meetings completed in the relevant month.
- The details of Mediation files being declared as closed in the relevant month.

Ongoing mediations should not be reported on the Mediation Consolidated Work Report Form. They must only be reported when the mediation is completed.

Note: that as a double check the number of assessment meetings reported on the Mediation Work Start Form must be equal to the number of assessment meetings entries on the Mediation Consolidated Work Report Form.

Any queries regarding your payments or returns should be addressed to your Relationship Manager in the appropriate LSC regional office.

2. How to Complete the Family Mediation Work Start Form

Supplier Contract Number
This refers to your contract number under which you receive payment for your contract work. You will find the number on your contract award and schedule.

Supplier Name
Please enter your organisation's full name in this field.

Month
This must be completed in the format MMM/20YY; for example December 2004 should be recorded as DEC/2004.

Please fill in the month in which the work was started – not the month in which you are reporting it.

Willingness Test – Quantity
Report the number of Willingness Tests undertaken – from the first day of the month up to and including the last day. If there were no Willingness Tests for that particular month, report nil.

Assessment Meeting(s) – Quantity
Report the number of Assessment Meetings undertaken in each of the three categories. Only report work undertaken between the first day of the month and up to and including the last day. If there were no Assessment Meetings for that particular month, report nil.

Note: You should count each individual client attending an "Assessment Meeting – Separate". Where clients elect to attend separate Assessment Meetings and these are held in two different months, then one meeting should be recorded in respect of each month in which the meeting is held. When a couple attends "Assessment Meeting – Together", the count should be by couple (and not by the individual client).

Mediation Type – Number of case starts
You must only record the number of mediations **started** in each of the six categories of work. Report a nil in those mediation categories where there have been no matter starts.

Do not include ongoing matters, which have been reported as started in an earlier month.

Administration section at the bottom of the form
Please print your name, sign and add a contact telephone number in case the regional processing centre has any queries related to your filling in of the form. These details will help us to deal more quickly with your monthly return in situations where errors or misunderstandings occur. Finally, provide the date in the following format: DD/MM/20YY. For example, 10 July 2004 should be recorded as 10/07/2004.

3. How to Complete the Mediation Consolidated Work Report Form

Work type refers to the various types of assessment meetings and mediations.

Note that **details of Willingness Tests undertaken should not be recorded on this form.**

Mediation cases should always be recorded separately to the Assessment Meetings even if the mediation ends in the same month that the Assessment Meeting takes place. You may therefore have to make two separate entries on the same form in one month in respect of the same matter.

Assessment Meeting Alone should only be used when one party attends and you are sure the other party will not attend. Do not use this code when both parties attend separately.

Assessment Meetings should be recorded as having been completed in the same month that they take place. **Assessment Meetings where each client has been seen separately (Assessment Meeting - Separate) must be recorded on two separately numbered lines.**

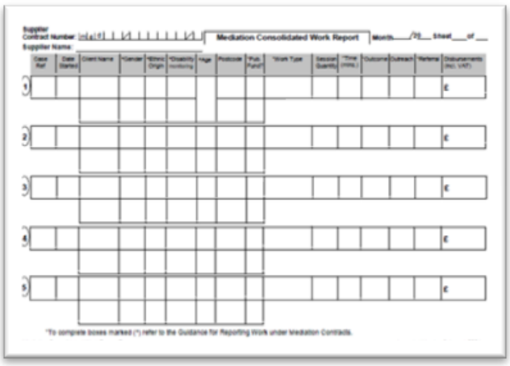
Details of mediation cases should only be recorded on this form in the month in which the case is completed i.e. when the outcome of the case is clear. This would include, but is not limited to, the following circumstances:

- The mediation has broken down after a single session;
- The mediation has broken down after several sessions ("multi sessions");
- The parties have reached an understanding but do not want this produced as a formal agreement;
- A formal agreement has been produced on all the issues in dispute;
- A formal agreement has been produced on some of the issues in dispute.

Mediations that have broken down should only be reported when either of the two following conditions are met:

- If you are **sure** (e.g. clients indicate that they do not wish to continue) that the parties will not continue with the mediation;
- If you are **reasonably sure** (e.g. consider it likely) that the parties will not continue with the mediation **and** three months have elapsed since the Single Session, or the last session.

Breakdown of the Fields on the Form



Supplier Contract Number
This refers to your contract number under which you receive payment for your contract work. You will find the number on your contract award and schedule.

Supplier Name
Please enter your organisation's full name in this field.

Month
This must be completed in the format MMM/20YY; for example October 2007should be recorded as OCT/2007.Please fill in the month when the work was closed – not the month in which you are reporting it.

Sheet number
Complete as many sheets as required but complete the boxes stating how many pages in total there are in a batch.

Case reference
Case reference refers to your organisation's systematic naming of client files. **Each matter must have a unique reference number/ID**. This reference is essential for effective auditing of contracts. Please ensure that this reference enables the file to be retrieved if it is requested at an audit.

If an Assessment Meeting/s has led to a mediation then the mediation must be allocated the same case reference number as the Assessment Meeting/s. You may, however, assign a single running number or letter at the beginning or the end of the case reference number/ID to denote the different stages of the matter.

An example of a case reference meeting these criteria are: An assessment meeting, which later progresses on to mediation, is given the reference OLP/0903D/1, while the mediation is given the reference number OLP/0903D/2.

One case reference will apply to both clients and will apply to all work done in connection with the case.

- **Where Direct Consultation with Children is used please add the code DCC on the end of the reference number for the mediation. This will allow the LSC to identify cases where direct consultation is used and monitor the profile and outcomes achieved.**

Date Started
If the matter is an assessment meeting, report the date when the meeting was held. If the matter is mediation, use the **date of the first mediation session**.

The date must be recorded in the format: DD/MM/YYYY e.g. 5th Oct 2007 should be recorded 05/10/2007.

Client Name
Client initial and surname(s) must be provided. The purpose of this field is to facilitate retrieval of specific files for audit.

Details for both clients must be recorded. If only one client is seen then only the details for that client need be recorded.

Equal Opportunities Monitoring - Gender, Disability and Ethnic Origin
Completion of the ethnic origin and disability fields is voluntary. However, where the client is willing to provide this information it will greatly assist us in monitoring and researching access to LSC funded services in line with our commitment to promote equal opportunities, set out in our Equality Scheme (see details on: www.legalservices.gov.uk). This information will be treated in the strictest confidence and will be used for statistical monitoring and research.

Complete the gender field with the following codes (see table):

Gender	Code
Female	F
Male	M

Complete the disability field with the following codes (see table). Note where a client does not wish to provide this information please mark the column with the letter "**U**".

Disability	Code
Yes	Y
No	N

The Commission for Racial Equality recommended categories are as follows. Note that where a client specifies that they are **unwilling** to provide information of their ethnic group, this section of the form should record **"ref"**.

Please complete the ethnicity field with the following codes (see table):

Ethnic Origin	Code	Ethnic Origin	Code
Other	00	Chinese	09
White British	01	Mixed White & Black Caribbean	10
White Irish	02	Mixed White and Black African	11
Black or Black British African	03	Mixed White and Asian	12
Black or Black British Caribbean	04	Mixed Other	13
Black or Black British Other	05	White Other	14
Asian or Asian British Indian	06	Asian or Asian British other	15
Asian or Asian British Pakistani	07	Unknown	99
Asian or Asian British Bangladeshi	08		

Age

Client age will be recorded in bands (based on the Office for National Statistics' Labour Force Survey). Complete the age field with the following codes (see table):

Age Range	Code
0-16	A
17-24	B
25-34	C
35-49	D
50-64	E
65+	F

Postcode

This field must be completed. It is important that the client's full, accurate postcode is entered here. This will normally be one or two letters, then one or two numbers, followed by a space and then one number and two letters; for example, B25 8RK, AB32 7PY.

If the client does not know their postcode, Royal Mail operates a telephone postcode enquiry service on 08457 111 222. Please do **not** enter fictitious codes.

If you or the client *genuinely* cannot provide an accurate postcode (perhaps because new properties have not yet had their codes notified), please enter the first two letters of the Postal Area only; for example, OX (Oxford), SO (Southampton). If the client is homeless you should enter IT IN.

Publicly Funded

Complete the publicly funded field with the following numerical codes (see table) in relation to client's eligibility:

Publicly Funded	Code
Yes	1
No	0

Note that for assessment meetings if neither client is eligible for public funding then they must have been referred under the Funding Code (see Referral data field below). If this is not the case, the clients are, under the contract, categorised as private clients and should not be reported to us.

For Assessment Meetings following a non-funding code referral, when at least one client is eligible for publicly funded family mediation, these Assessment Meetings for both clients can be recorded and claimed.

If a client was not eligible for public funding at the outset of the mediation, but subsequently became eligible during mediation sessions then he/she should be recorded as eligible and claimed. In these cases you must refund clients any money they have paid to you.

For example: if a client was privately funded, but in session 2 of mediation they become eligible, you should return any private fees paid to date for the actual mediation sessions themselves and claim a multi-session rate for that client once the mediation has closed.

This is not the case for Assessment Meetings where you are either eligible at the time of the assessment or you are not. If a client becomes eligible after the assessment meeting then they should be recorded as ineligible for the purposes of the submission of the Assessment Meeting.

Work Type

Work type should be recorded in **one of the following** categories using short codes:

Work Type – Assessment meetings	Short Code	Work Type - Mediations	Short Code
Assessment Meeting – Together	AssM – Tog.	Child Only Sole	Child Sole
Assessment Meeting – Alone	AssM - Alone	Child Only Co	Child Co
Assessment Meeting – Separate	AssM – Sep.	Property & Finance Sole	P & F Sole
		Property & Finance Co	P & F Co
		All Issues Sole	AIM Sole
		All Issues Co	AIM Co

Note: If co-mediation was the model used there should be a note on the case file indicating why this was the appropriate model to use.

Assessment Meetings should always be recorded separately to the Mediation cases even if the mediation ends in the same month that the Assessment Meeting takes place.

The 'Assessment Meetings – Separate' work type must be recorded on separate lines – one for each client.

If an All Issues Mediation is started but agreement is only reached on e.g. Children issues, the Work Type should still be recorded as an All Issues Mediation.

If a mediation is started (and reported to the LSC) as a Child Only Sole mediation and subsequently Property & Finance sole issues are dealt with in mediation (or vice versa), the matter should be reported as an All Issues Sole Mediation when completed.

Session Quantity

Record the number of sessions spent on mediation. Do not count Assessment Meeting(s) and/or the drafting of the Agreed Proposal as sessions. When the matter entered is an Assessment Meeting fill in a dash (-).

Time (minutes)

Record the total time in minutes spent on the case. Include the following elements:

- time taken in the sessions, preparing and reviewing sessions (this will be the actual time taken rather then the combined time of the mediators when the co-mediation model is used)
- time spent on drafting documents including the session notes and agreed proposals where applicable.
- time spent on correspondence by mediator (telephone/email/letter) which progresses the case

Do not include the time spent on

- the Assessment Meeting/s
- general administration e.g. setting up the appointments, other telephone contact, arranging meeting room etc.

- travel time

We do acknowledge that time is spent on administration and there are elements allocated in the set rates in the contract. However, the purpose of the time recording is for us to get an understanding of time used by mediators.

If your organisation currently records time in units rather than minutes, please convert units to minutes i.e. where 1 unit = 6 minutes, the number of units multiplied by 6.

Outcome/Agreed Proposal

Use the following codes when recording the outcome of a case:

Outcome	Code
Mediation agreement (i.e. successful) but no agreed proposal was written up	A
Mediation broken down - i.e. no agreed proposal	B
Mediation successful – i.e. an agreed proposal(s) was reached	S
All Issues Mediation and an agreed proposal was reached only on Children issues.	C
All Issues Mediation and an agreed proposal was reached only on Property & Finance issues.	P

When the matter entered is an assessment meeting fill in a dash (-).

We do acknowledge that some mediations may break down just after an agreed proposal has been written up. These should still be recorded as S (or C or P).

When an agreed proposal is written up this should be understood as the parties have reached agreement on the majority of issues in dispute. “Agreement to disagree” is thus never classified an agreement under this contract.

Outreach

When the meeting(s) with clients are conducted at a location at which your service has authorisation to do outreach work you must fill in a number, which refers to the location. If the meeting(s) are taking place at your main office you should fill in 00 (zero).

The number must be two digit starting with 01 and running upwards (i.e. 02, 03… etc.). For example, your main office is in Norwich and you have one outreach post in Attleborough and one in Cromer. Then main office is number 00, Attleborough number 01 and Cromer 02.

An overview indicating which number refers to which location must be kept easily available. For a definition of Outreach, please see the Contract Specification.

Referral

Use the following two digit codes when recording the source of referral:

Referral source	Code
Funding Code referral *(please use the same code for both clients even if they attend assessment meetings separately)*	01
Referral from solicitor (Not Funding Code related)	02
Referral from court	03
Referral from CAB	04
Referral from other advice agency or telephone helpline	05
Referral from Relate or other relationship counselling	06
Referral from GP/NHS	07
Client self-referred	08
Other	09
Unknown	10

Source of referral must be completed for both assessment meetings and mediations.

Give 01 for both clients even though only one client was referred under the Funding Code and they attend the Assessment meeting separately.

Disbursements (£)

Record the total amount of disbursements incurred on this matter. The contract specification sets out what you can claim as disbursements.

Record the amount in the form £__:_. If your organisation is registered for VAT and the disbursements attracts VAT, this figure should include VAT. If no disbursements were incurred, record 00:00 or a dash (-).

4. A Check List of Contract Rules for Completing Mediation Submission

Please use the following examples to ensure you comply fully with our reporting requirements under the **Mediation Consolidated Work Report Form**. **It is very important that you comply with these** as they ensure the right calculation for the value of your work. If any of the details you send to us are wrong the reconciliation of your contract schedule and payments may be incorrect.

Check 1:

If you record the work type as an Assessment Meeting Alone (AssM - Alone), you need to ensure that the client is also registered as being either Publicly Funded and/or referred under the Funding Code.
A record with AssM – Alone. where neither the Publicly Funded box is completed with a 1 or the Referral field is completed with 01(i.e. Funding Code referral) then the record is incorrect and will generate a £0 value.

Check 2:

If couples are referred to an Assessment Meeting via a referral source that is not a Funding Code Referral (01) then at least one of the clients needs to be publicly funded in order to be able to claim.

Check 3:

If a couple attend an Assessment Meeting Separate (AssM – Sep.) and are attending because one of the clients has been referred under the Funding Code, then you need to complete the Referral box with 01 for both records – not just for the client who was referred. (See also “Check 2” above and “Check 5” below)

Check 4:

If you record one of the six types of Mediations (Child Sole, Child Co, P & F Sole, P & F Co, AIM Sole or AIM Co) as work type, you must also ensure that you complete the Publicly Funded field with a 1 (one) for at least one of the clients.
A record with mediation where the Publicly Funded field is empty for both clients is incorrect and will generate a £0 value.

Check 5:

Couples who attend Assessment Meeting Separate (AssM – Sep.) must be recorded on two separate lines.
Records with AssM – Sep. where both clients appear on the same line in the Mediation Consolidated Work Report Form are incorrect and will only generate the value of one meeting instead of two (i.e with current values = £87 instead of £87 + £87).

Check 6:

When couples have either finished an AssM – Tog, or a Mediation (Child Sole, Child Co, P & F Sole, P & F Co, AIM Sole or AIM Co) then the name and the details of gender, disability, ethnicity, age and post code must be completed for both clients and not only for one.
Records where the details of the second client are missing are incorrect, and may in certain instances only generate half the value of the work reported.

Check 7:

Always double check the accuracy of data - especially codes used for Work-Type, Publicly Funded, Session Quantity, Outcome, and Referral - before sending your returns to the processing centre.