



Legal Aid  
Agency

# Guidance for Reporting Work under the Family Mediation Contract

<b>Version:</b>	<b>Issue Date:</b>	<b>Last review date:</b>	<b>Owned by:</b>
3	November 2014	November 2014	Service Development

## Version History

Version:	Date	Reason
1	1 <sup>st</sup> April 2013	Initial release
2	8 <sup>th</sup> July 2014	Update of reporting address
3	November 2014	To reflect changes to the Civil Legal Aid (Financial Resources and Payment for Services) Regulations 2013

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## 1. Overview

This guidance sets out how to report Family Mediation claims. It should be read in conjunction with the 2010 Standard Civil Contract standard terms and conditions, Family Mediation Specification and the relevant guidance under the Legal Aid Sentencing & Punishment of Offenders Act 2012.

Changes have been made to the Civil Legal Aid (Financial Resources and Payment for Services) Regulations 2013 to exempt financially ineligible parties from the financial means test in respect of the first mediation session where the other party is financially eligible for legal aid and the first mediation session after the MIAM takes place on/after **3 November 2014**.

In these circumstances the LAA will pay half a single mediation session fee in relation to the party who would not otherwise be financially eligible for legal aid. This will be in addition to the relevant fee payable in respect of the financially eligible party. For all subsequent mediation sessions following the first session legal aid will only be available for the party financially eligible for legal aid. Agreed Proposal fees can only be claimed in relation to financially eligible parties.

There are no changes to the way mediation cases are reported, and providers should continue to report the mediation as a single Matter regardless of the fee payable in respect of each party.

## 2. 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 Aid Agency 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 any 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 Aid Agency – Bristol Office  
33-35 Queen Square  
Bristol  
BS1 4LU or DX 7852 - Bristol 1**

*Form Completion Basics*

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

- 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 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 designated Contract Manager in the appropriate LAA Regional Office.

## 2. How to Complete the Family Mediation Work Start Form

**Table of Work Start Fields**

Field	Guidance
<b>Provider Contract Number</b>	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.
<b>Supplier Name</b>	Please enter your organisation's full name in this field.
<b>Month</b>	This must be completed in the format MMM/20YY; for example December 2015 should be recorded as DEC/2015.  Please fill in the month in which the work was started – not the month in which you are reporting it.
<b>Assessment Meeting(s) – Quantity</b>	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).
<b>Mediation Type – Number of case starts</b>	You must only record the number of mediations <b>started</b> in each of the six categories of work. Report a nil in those mediation categories where there have been no matter starts.  <b>Mediation cases must be recorded as a single case start regardless of the fact there are two parties. Separate starts must not be reported in respect of each party.</b>  <b>Do not include ongoing matters, which have been reported as started in an earlier month.</b>

Field	Guidance
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 2015 should be recorded as 10/07/2015.

### 3. How to Complete the Mediation Consolidated Work Report Form

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

**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

The image shows a screenshot of the 'Mediation Consolidated Work Report' form. At the top, there are fields for 'Register Number' and 'Register Name'. Below this is a table with the following columns: Case No., Case Name, Client Name, Session, Session Type, Outcome, and Date. There are five rows of data entry fields. At the bottom of the form, there is a note: '\*To complete boxes marked (\*) refer to the Guidance for Reporting Work under Mediation Contracts.'

Field	Guidance
<b>Provider Contract Number</b>	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.
<b>Supplier Name</b>	Please enter your organisation's full name in this field.
<b>Month</b>	This must be completed in the format MMM/20YY; for example October 2015 should be recorded as OCT/2015. Please fill in the month when the work was closed – not the month in which you are reporting it
<b>Sheet Number</b>	Complete as many sheets as required but complete the boxes stating how many pages in total there are in a batch.
<b>Case Reference</b>	<p>Case reference refers to your organisation's systematic naming of client files. <b>Each matter must have a unique reference number/ID.</b> 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.</p> <p><b>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.</b></p> <p>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.</p> <p>One case reference will apply to both clients and will apply to all work done in connection with the case.</p> <p><b>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 LAA to identify cases where direct consultation is used and monitor the profile and outcomes achieved.</b></p>
<b>Date Started</b>	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 2015 should be recorded 05/10/2015.

Field	Guidance																																																		
<b>Client Name</b>	<p>Client initial and surname(s) must be provided. The purpose of this field is to facilitate retrieval of specific files for audit.</p> <p>Details for both clients must be recorded. If only one client is seen then only the details for that client need be recorded.</p>																																																		
<p><b>Equal Opportunities Monitoring:</b></p> <p><b>Gender, Disability and Ethnic Origin</b></p>	<p>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 LAA funded services in line with our commitment to promote equal opportunities, set out in our Equality Scheme. This information will be treated in the strictest confidence and will be used for statistical monitoring and research.</p> <p>Complete the gender field with the following codes (see table):</p> <table border="1" data-bbox="790 725 1179 837"> <thead> <tr> <th>Gender</th> <th>Code</th> </tr> </thead> <tbody> <tr> <td>Female</td> <td>F</td> </tr> <tr> <td>Male</td> <td>M</td> </tr> </tbody> </table> <p>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".</p> <table border="1" data-bbox="790 981 1179 1093"> <thead> <tr> <th>Disability</th> <th>Code</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>Y</td> </tr> <tr> <td>No</td> <td>N</td> </tr> </tbody> </table> <p>The Commission for Racial Equality recommended categories are as follows.</p> <p>Please complete the ethnicity field with the following codes (see table):</p> <table border="1" data-bbox="687 1312 1281 1921"> <thead> <tr> <th>Ethnic Origin</th> <th>Code</th> </tr> </thead> <tbody> <tr><td>Other</td><td>00</td></tr> <tr><td>White British</td><td>01</td></tr> <tr><td>White Irish</td><td>02</td></tr> <tr><td>Black or Black British African</td><td>03</td></tr> <tr><td>Black or Black British Caribbean</td><td>04</td></tr> <tr><td>Black or Black British Other</td><td>05</td></tr> <tr><td>Asian or Asian British Indian</td><td>06</td></tr> <tr><td>Asian or Asian British Pakistani</td><td>07</td></tr> <tr><td>Asian or Asian British Bangladeshi</td><td>08</td></tr> <tr><td>Chinese</td><td>09</td></tr> <tr><td>Mixed White &amp; Black Caribbean</td><td>10</td></tr> <tr><td>Mixed White and Black African</td><td>11</td></tr> <tr><td>Mixed White and Asian</td><td>12</td></tr> <tr><td>Mixed Other</td><td>13</td></tr> <tr><td>White Other</td><td>14</td></tr> <tr><td>Asian or Asian British other</td><td>15</td></tr> <tr><td>Gypsy/Traveller</td><td>16</td></tr> <tr><td>Unknown</td><td>99</td></tr> </tbody> </table>	Gender	Code	Female	F	Male	M	Disability	Code	Yes	Y	No	N	Ethnic Origin	Code	Other	00	White British	01	White Irish	02	Black or Black British African	03	Black or Black British Caribbean	04	Black or Black British Other	05	Asian or Asian British Indian	06	Asian or Asian British Pakistani	07	Asian or Asian British Bangladeshi	08	Chinese	09	Mixed White & Black Caribbean	10	Mixed White and Black African	11	Mixed White and Asian	12	Mixed Other	13	White Other	14	Asian or Asian British other	15	Gypsy/Traveller	16	Unknown	99
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Field	Guidance														
Age	<p>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):</p> <table border="1" data-bbox="743 315 1118 568"> <thead> <tr> <th>Age Range</th> <th>Code</th> </tr> </thead> <tbody> <tr> <td>0-16</td> <td>A</td> </tr> <tr> <td>17-24</td> <td>B</td> </tr> <tr> <td>25-34</td> <td>C</td> </tr> <tr> <td>35-49</td> <td>D</td> </tr> <tr> <td>50-64</td> <td>E</td> </tr> <tr> <td>65+</td> <td>F</td> </tr> </tbody> </table>	Age Range	Code	0-16	A	17-24	B	25-34	C	35-49	D	50-64	E	65+	F
Age Range	Code														
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17-24	B														
25-34	C														
35-49	D														
50-64	E														
65+	F														
Post Code	<p>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.</p> <p>If the client does not know their postcode, Royal Mail operates a telephone postcode enquiry service on 08457 111 222. Please do <b>not</b> enter fictitious codes.</p> <p>If you or the client <i>genuinely</i> cannot provide an accurate postcode (perhaps because new properties have not yet had their codes notified), please record 'NFA'.</p>														
Legally Aided	<p><b>For the purposes of this guidance 'legally aided' and 'eligible' mean any party for whom you have completed an assessment of financial eligibility for legal aid and who can be demonstrated as meeting the eligibility requirements. For the avoidance of doubt, those parties exempt from the financial eligibility test by virtue of Regulation 5 of the Civil Legal Aid (Financial Resources and Payment for Services) Regulations 2013 (as amended) must <u>not</u> be recorded as legally aided.</b></p> <p>Complete the legally aided field with the following numerical codes (see table) in relation to client's eligibility:</p> <table border="1" data-bbox="799 1402 1174 1514"> <thead> <tr> <th>Legally Aided</th> <th>Code</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>1</td> </tr> <tr> <td>No</td> <td>0</td> </tr> </tbody> </table> <p>For Assessment Meetings, when at least one client is eligible for legal aid for family mediation, these Assessment Meetings for both clients can be recorded and claimed. Where neither client is eligible then these cases should not be reported to the Legal Aid Agency as these clients are privately funded.</p> <p>For Assessment Meetings a party is either eligible at the time of the assessment or they 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.</p>	Legally Aided	Code	Yes	1	No	0								
Legally Aided	Code														
Yes	1														
No	0														

Field	Guidance																				
<p><b>Work Type</b></p>	<p>Work type should be recorded in <b>one of the following</b> categories using short codes:</p> <table border="1" data-bbox="699 320 1273 730"> <thead> <tr> <th>Work Type</th> <th>Short Code</th> </tr> </thead> <tbody> <tr> <td>Assessment Meeting – Together</td> <td>AssM – Tog.</td> </tr> <tr> <td>Assessment Meeting – Alone</td> <td>AssM - Alone</td> </tr> <tr> <td>Assessment Meeting – Separate</td> <td>AssM – Sep.</td> </tr> <tr> <td>Child Only Sole</td> <td>Child Sole</td> </tr> <tr> <td>Child Only Co</td> <td>Child Co</td> </tr> <tr> <td>Property &amp; Finance Sole</td> <td>P &amp; F Sole</td> </tr> <tr> <td>Property &amp; Finance Co</td> <td>P &amp; F Co</td> </tr> <tr> <td>All Issues Sole</td> <td>AIM Sole</td> </tr> <tr> <td>All Issues Co</td> <td>AIM Co</td> </tr> </tbody> </table> <p><b>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.</b></p> <p><b>Assessment Meetings should always be recorded separately to the Mediation cases</b> even if the mediation ends in the same month that the Assessment Meeting takes place.</p> <p><b>The ‘Assessment Meetings – Separate’ work type must be recorded on separate lines – one for each client.</b></p> <p>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.</p> <p>If a mediation is started (and reported to the LAA) as a Child Only Sole mediation and subsequently Property &amp; Finance sole issues are dealt with in mediation (or vice versa), the matter should be reported as an All Issues Sole Mediation when completed.</p>	Work Type	Short Code	Assessment Meeting – Together	AssM – Tog.	Assessment Meeting – Alone	AssM - Alone	Assessment Meeting – Separate	AssM – Sep.	Child Only Sole	Child Sole	Child Only Co	Child Co	Property & Finance Sole	P & F Sole	Property & Finance Co	P & F Co	All Issues Sole	AIM Sole	All Issues Co	AIM Co
Work Type	Short Code																				
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Property & Finance Co	P & F Co																				
All Issues Sole	AIM Sole																				
All Issues Co	AIM Co																				
<p><b>Session Quantity</b></p>	<p>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 (-).</p>																				

Field	Guidance												
<p><b>Time (minutes)</b></p>	<p>Record the total time in minutes spent on the case. Include the following elements:</p> <ul style="list-style-type: none"> <li>time taken in the sessions, preparing and reviewing sessions (this will be the actual time taken rather than the combined time of the mediators when the co-mediation model is used)</li> <li>time spent on drafting documents including the session notes and agreed proposals where applicable.</li> <li>time spent on correspondence by mediator (telephone/email/letter) which progresses the case</li> </ul> <p><b>Do not include the time spent on</b></p> <ul style="list-style-type: none"> <li>the Assessment Meeting/s</li> <li>general administration e.g. setting up the appointments, other telephone contact, arranging meeting room etc.</li> <li>travel time</li> </ul> <p>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.</p> <p>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.</p>												
<p><b>Outcome/Agreed Proposals</b></p>	<p>Use the following codes when recording the outcome of a case:</p> <table border="1" data-bbox="614 1093 1353 1624"> <thead> <tr> <th data-bbox="614 1093 981 1126">Outcome</th> <th data-bbox="981 1093 1353 1126">Code</th> </tr> </thead> <tbody> <tr> <td data-bbox="614 1126 981 1218">Mediation agreement (i.e. successful) but no agreed proposal was written up</td> <td data-bbox="981 1126 1353 1218">A</td> </tr> <tr> <td data-bbox="614 1218 981 1281">Mediation broken down - i.e. no agreed proposal</td> <td data-bbox="981 1218 1353 1281">B</td> </tr> <tr> <td data-bbox="614 1281 981 1373">Mediation successful – i.e. an agreed proposal(s) was reached</td> <td data-bbox="981 1281 1353 1373">S</td> </tr> <tr> <td data-bbox="614 1373 981 1496">All Issues Mediation and an agreed proposal was reached only on Children issues.</td> <td data-bbox="981 1373 1353 1496">C</td> </tr> <tr> <td data-bbox="614 1496 981 1624">All Issues Mediation and an agreed proposal was reached only on Property &amp; Finance issues.</td> <td data-bbox="981 1496 1353 1624">P</td> </tr> </tbody> </table> <p>When the matter entered is an assessment meeting fill in a dash (-).</p> <p>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).</p> <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.</p>	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
Outcome	Code												
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Field	Guidance																				
<p><b>Outreach</b></p>	<p>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).</p> <p>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.</p> <p>An overview indicating which number refers to which location must be kept easily available. For a definition of Outreach, please see the Contract Specification.</p>																				
<p><b>Referral</b></p>	<p>Use the following two digit codes when recording the source of referral:</p> <table border="1" data-bbox="616 808 1353 1249"> <thead> <tr> <th data-bbox="616 808 986 842">Referral Source</th> <th data-bbox="986 808 1353 842">Code</th> </tr> </thead> <tbody> <tr> <td data-bbox="616 842 986 875">Referral from solicitor</td> <td data-bbox="986 842 1353 875">02</td> </tr> <tr> <td data-bbox="616 875 986 909">Referral from court</td> <td data-bbox="986 875 1353 909">03</td> </tr> <tr> <td data-bbox="616 909 986 943">Referral from CAB</td> <td data-bbox="986 909 1353 943">04</td> </tr> <tr> <td data-bbox="616 943 986 1032">Referral from other advice agency or telephone helpline</td> <td data-bbox="986 943 1353 1032">05</td> </tr> <tr> <td data-bbox="616 1032 986 1122">Referral from Relate or other relationship counselling</td> <td data-bbox="986 1032 1353 1122">06</td> </tr> <tr> <td data-bbox="616 1122 986 1155">Referral from GP/NHS</td> <td data-bbox="986 1122 1353 1155">07</td> </tr> <tr> <td data-bbox="616 1155 986 1189">Clients self Referred</td> <td data-bbox="986 1155 1353 1189">08</td> </tr> <tr> <td data-bbox="616 1189 986 1223">Other</td> <td data-bbox="986 1189 1353 1223">09</td> </tr> <tr> <td data-bbox="616 1223 986 1249">Unknown</td> <td data-bbox="986 1223 1353 1249">10</td> </tr> </tbody> </table> <p>Source of referral must be completed for both assessment meetings and mediations.</p>	Referral Source	Code	Referral from solicitor	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	Clients self Referred	08	Other	09	Unknown	10
Referral Source	Code																				
Referral from solicitor	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																				
Clients self Referred	08																				
Other	09																				
Unknown	10																				
<p><b>Disbursements (£)</b></p>	<p>Record the total amount of disbursements incurred on this matter. The contract specification sets out what you can claim as disbursements.</p> <p>Record the amount in the form £__:__. If your organisation is registered for VAT and the disbursements attracts VAT, this figure should <u>include VAT</u>. If no disbursements were incurred, record 00:00 or a dash ( - ).</p>																				

## 4. How to Complete the CW5 Help with Family Mediation Form

<p style="text-align: center; font-size: small;">Protect - Personal Information <span style="float: right;">CW5</span></p> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;"> <h3 style="margin: 0;">Help with Family Mediation</h3> </div> </div> <p style="font-size: x-small; margin-top: 5px;">This form, signed by the mediator, must be held on file in order to be able to make a claim for Help with Family Mediation. If the enhanced fee for preparation of a consent order is claimed a copy of the mediation Agreement/Memorandum of Understanding and copy of the consent order should also be held on the file.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><b>Equal Opportunities Monitoring</b> Please tick the boxes which your client would describe themselves as being:</p> <table style="width: 100%; font-size: x-small;"> <tr> <td style="width: 33%;"><b>Ethnicity</b></td> <td style="width: 33%;"></td> <td style="width: 33%;"></td> </tr> <tr> <td><b>White</b></td> <td><b>Mixed</b></td> <td><b>Asian or Asian British</b></td> </tr> <tr> <td><input type="checkbox"/> (a) British</td> <td><input type="checkbox"/> (a) White and Black Caribbean</td> <td><input type="checkbox"/> (a) Indian</td> </tr> <tr> <td><input type="checkbox"/> (b) Irish</td> <td><input type="checkbox"/> (b) White and Black African</td> <td><input type="checkbox"/> (b) Pakistani</td> </tr> <tr> <td><input type="checkbox"/> (c) White Other</td> <td><input type="checkbox"/> (c) White and Asian</td> <td><input type="checkbox"/> (c) Bangladeshi</td> </tr> <tr> <td><b>Black or Black British</b></td> <td><input type="checkbox"/> (d) Mixed Other</td> <td><input type="checkbox"/> (d) Asian Other</td> </tr> <tr> <td><input type="checkbox"/> (a) Black Caribbean</td> <td><input type="checkbox"/> Chinese</td> <td><input type="checkbox"/> Other</td> </tr> <tr> <td><input type="checkbox"/> (b) Black African</td> <td><input type="checkbox"/> Gypsy/Traveller</td> <td><input type="checkbox"/> Prefer not to say</td> </tr> <tr> <td><input type="checkbox"/> (c) Black Other</td> <td></td> <td></td> </tr> </table> <p><b>Disability</b> The Equality Act 2010 defines disability as: a physical or mental impairment which has a substantial and long-term adverse effect on a persons ability to carry out normal day-to-day activities. Not Considered Disabled <input type="checkbox"/> If a client considers himself or herself to have a disability please select the most appropriate definition. Definitions:</p> <table style="width: 100%; font-size: x-small;"> <tr> <td><input type="checkbox"/> Mental health condition</td> <td><input type="checkbox"/> Blind</td> </tr> <tr> <td><input type="checkbox"/> Learning disability/difficulty</td> <td><input type="checkbox"/> Long-standing physical illness or health condition</td> </tr> <tr> <td><input type="checkbox"/> Mobility impairment</td> <td><input type="checkbox"/> Other</td> </tr> <tr> <td><input type="checkbox"/> Deaf</td> <td><input type="checkbox"/> Unknown</td> </tr> <tr> <td><input type="checkbox"/> Hearing impaired</td> <td><input type="checkbox"/> Prefer not to say</td> </tr> <tr> <td><input type="checkbox"/> Visually impaired</td> <td><input type="checkbox"/> Prefer not to say</td> </tr> </table> <p style="font-size: x-small;">* Completion of this section is voluntary. This will be treated in the strictest confidence and will be used purely for statistical monitoring and research.</p> <p><b>Your client's details</b></p> <p>Title: _____ Initials: _____ Surname: _____          First name: _____ Surname at birth: _____          Date of birth: ____/____/____ National Insurance no: _____          Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Prefer not to say          Marital status: <input type="checkbox"/> Single <input type="checkbox"/> Married/Cohabiting <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed <input type="checkbox"/> Prefer not to say  <input type="checkbox"/> Separated <input type="checkbox"/> Civil Partner          Place of birth: _____ Job: _____          Current address: _____ Postcode: _____</p> <p style="font-size: x-small; margin-top: 5px;">Controlled Work 5 <b>DRAFT</b> Version 1 April 2013 DRAFT 0.1 © Crown Copyright</p> </div>	<b>Ethnicity</b>			<b>White</b>	<b>Mixed</b>	<b>Asian or Asian British</b>	<input type="checkbox"/> (a) British	<input type="checkbox"/> (a) White and Black Caribbean	<input type="checkbox"/> (a) Indian	<input type="checkbox"/> (b) Irish	<input type="checkbox"/> (b) White and Black African	<input type="checkbox"/> (b) Pakistani	<input type="checkbox"/> (c) White Other	<input type="checkbox"/> (c) White and Asian	<input type="checkbox"/> (c) Bangladeshi	<b>Black or Black British</b>	<input type="checkbox"/> (d) Mixed Other	<input type="checkbox"/> (d) Asian Other	<input type="checkbox"/> (a) Black Caribbean	<input type="checkbox"/> Chinese	<input type="checkbox"/> Other	<input type="checkbox"/> (b) Black African	<input type="checkbox"/> Gypsy/Traveller	<input type="checkbox"/> Prefer not to say	<input type="checkbox"/> (c) Black Other			<input type="checkbox"/> Mental health condition	<input type="checkbox"/> Blind	<input type="checkbox"/> Learning disability/difficulty	<input type="checkbox"/> Long-standing physical illness or health condition	<input type="checkbox"/> Mobility impairment	<input type="checkbox"/> Other	<input type="checkbox"/> Deaf	<input type="checkbox"/> Unknown	<input type="checkbox"/> Hearing impaired	<input type="checkbox"/> Prefer not to say	<input type="checkbox"/> Visually impaired	<input type="checkbox"/> Prefer not to say	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><b>Mediation Details (mediation service to complete)</b></p> <p>I certify that the above client is currently participating in/or has participated in family mediation within the last 3 months with the first mediation session having commenced on ____/____/____</p> <p>Type of mediation: _____ (Child Only, Property &amp; Finance or All Issues)</p> <p>Signed: _____ Mediator Date: ____/____/____</p> <p>Name of recognised Mediator(s): _____</p> <p>Name of Service: _____</p> <p>Mediation Account Number: _____</p> <p>Address of Service: _____ Postcode: _____</p> </div> <div style="border: 1px solid black; padding: 5px;"> <p><b>Financial Eligibility (legal advisor to complete)</b></p> <ol style="list-style-type: none"> <li>1. The client have a partner whose means are to be aggregated:  <input type="checkbox"/> Yes Please provide details of both clients and partner's means.  <input type="checkbox"/> No Please provide details of client's means only.</li> <li>2. Case category: _____</li> <li>3. The case is about ownership or possession of assets and / or financial provision:  <input type="checkbox"/> Yes Go to question 5.  <input type="checkbox"/> No Go directly to Part B Capital.</li> <li>4. The client's assets (held in sole name or jointly held) have been claimed by the opponent:  <input type="checkbox"/> Yes Please complete Part A Capital - Subject matter of dispute.  <input type="checkbox"/> No Go directly to Part B Capital.</li> </ol> <p style="font-size: x-small;">The subject matter of dispute disregard only applies to assets that are specifically claimed by the opponent; it does not apply to assets that the opponent has not claimed but are at general risk if the judgement goes against the client or to assets in a matrimonial case/case for financial provision which may be taken account in some way in the proceeding or settlement but which the opponent has not specifically claimed. All assets that have not been specifically claimed by the opponent must be included in Part B Capital.</p> <p><b>Part A: Capital - Subject matter of dispute</b></p> <ol style="list-style-type: none"> <li>1. Please list any property, assets or possessions that the opponent has made a claim to in this case.                     <table style="width: 100%; font-size: x-small; margin-top: 5px;"> <tr> <td style="width: 60%;"></td> <td style="width: 20%; text-align: center;"><b>Property:</b></td> <td style="width: 10%;"></td> <td style="width: 10%; text-align: center;"><b>Main home</b></td> <td style="width: 10%; text-align: center;"><b>Other property</b></td> </tr> <tr> <td></td> <td style="text-align: center;">Current market value</td> <td style="text-align: center;">£</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td></td> <td style="text-align: center;">Outstanding Mortgage/secured loan</td> <td style="text-align: center;">£</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> </table> </li> <li>2. Is property held in joint names with the opponent? <input type="checkbox"/> Yes <input type="checkbox"/> No                      ▶ If property is held in joint names with the opponent, equal shares will be assumed for assessment purposes.</li> </ol> <p style="font-size: x-small; margin-top: 5px;">Controlled Work 5 Page 2</p> </div>		<b>Property:</b>		<b>Main home</b>	<b>Other property</b>		Current market value	£	_____	_____		Outstanding Mortgage/secured loan	£	_____	_____
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The CW5 form has been created to provide evidence to a contracted Family legal aid provider that the client concerned has participated in mediation and is potentially eligible for Help with Family Mediation. The Mediation Service should complete the Equal Opportunities section and client details section on page 1 and the mediation details section on the top of page 2. The remainder of the document is for the legal advisor to complete.

## 5. 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 registered as being Legally Aided.

**Check 2:**

If couples are referred to an Assessment Meeting then at least one of the clients needs to be legally aided 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 by a solicitor, then you need to complete the Referral box with 02 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 Legally Aided field with a 1 (one) for at least one of the clients.

A record with mediation where the Legally Aided 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, Legally Aided, Session Quantity, Outcome, and Referral - before sending your returns to the processing centre.