



CMC Individual Membership Categories and Rules

Friend of the CMC

A Friend of the CMC is an individual CMC Member who supports the aims and objectives of the CMC, but who does not practise mediation in categories of work that the CMC regulates in England and Wales. These categories are currently Civil/Commercial and Workplace mediation.

Regulated Mediators: Associate and Registered Mediators, and CMC Fellows

A Regulated Mediator is an individual CMC Member who supports the aims and objectives of the CMC, and who practises mediation in the categories of work that the CMC regulates in England and Wales. These categories are currently Civil/Commercial and Workplace mediation.

Regulated Mediators are either:

- Associate Mediators: those who are trained and practising, and on a path towards CMC Registered Mediator Status
- Registered Mediators: those who have met all the requirements for Associate Mediators and have obtained the necessary Observation and Experience Points.
- CMC Fellows: those who are the most experienced mediators.

The CMC provides a search facility on its website to enable members of the public to find Regulated Mediators.

Membership Status

All Friends of the CMC and CMC Regulated Mediators are participating members under the CMC constitution, which means they can participate in the election of directors to the CMC board and speak, but not vote, at general meetings. They will be known as 'Members' and are eligible for member benefits such as discounts to CMC events.

Applications and renewals

Applications must be made in the form prescribed by the CMC from time to time. Applications to renew membership and mediator status must be made annually.

CMC Membership Rules

A. All CMC Members (including Friends, Associate Mediators, Registered Mediators and CMC Fellows) must:

- (1) Pay an annual subscription;
- (2) Support the aims and objectives of the CMC
- (3) Not act in a way which brings the mediation process, the mediation profession or the CMC in to disrepute.
- (4) Abide by the CMC's Rules relating to complaints and discipline and agree that if a complaint has been made against them as a CMC member, the CMC may investigate and reach conclusions about the complaint and any subsequent disciplinary measures in accordance with its procedures, whether or not that the member chooses to retain their membership.
- (5) Use any associated phrase designating their status – for example 'CMC Registered' – and any associated logos only in accordance with the rules and policies of use published by the CMC.

B. In addition to the rules for all members, CMC Associate Mediators must:

- (1) Meet the professional standards for all CMC Regulated Mediators.

C. In addition to the rules for all members, CMC Registered Mediators must:

- (1) Meet the professional standards for all CMC Regulated Mediators; and
- (2) For mediators applying for new Registration have obtained at least 10 [Observation and Experience Points](#) in the year preceding their application; or
- (3) For mediators applying to renew Registration, have conducted at least two mediations in the year preceding the application.

D. In addition to the rules for all members, CMC Fellows must:

- (1) Meet the professional standards for all CMC Regulated Mediators;
- (2) Have at least 10 years' experience of mediation practice and 10 years' connection with the CMC; and
- (3) Have conducted at least two mediations in the year preceding the application.

E. Mediators who do not meet the published criteria

If a mediator considers that there are exceptional reasons why he or she should be awarded Regulated Mediator status despite not meeting one or more of the requirements, then these reasons should be stated in writing for the CMC to consider. The CMC is open to considering each application on its merits in the context of the particular type of mediation work undertaken, whether Civil and Commercial and/or Workplace.

Professional Standards for all CMC Regulated Mediators

All CMC Associate Mediators, CMC Registered Mediators and CMC Fellows must meet the following standards.

1. Initial Mediation Skills Training Course

- a. Mediators who started their mediation training in England or Wales after 1.9.18 must have passed a CMC Registered training course.
- b. Mediators who started their mediation training in England or Wales before 1.9.18:
 - i. Must have successfully completed an assessed training course which included training in ethics, mediation theory, mediation practice, negotiation, and role play exercise.
 - ii. If that training course was completed on or before 31st March 2011 for civil and commercial mediation, or 31st March 2015 for workplace mediation, it must have included not less than 24 hours of tuition and role-play followed by a formal assessment.
 - iii. If that training course was completed after 31st March 2011 for civil and commercial mediation, or 31st March 2015 for workplace mediation, the course must have included not less than 40 hours of tuition and role-play followed by a formal assessment.
 - iv. Must demonstrate a grasp of basic contract law if he or she is to undertake civil or commercial mediations or an understanding of anger and conflict in today's workplace for workplace mediations, if they are not also a qualified lawyer.
- c. Mediators who have been trained outside the England and Wales, who are applying to the CMC and intend to practice in England and Wales, are required to demonstrate that the training course they successfully passed complies with the requirements for course content and structure, and assessment of participants as competent mediators, as set out in the CMC Mediation Skills Training Registration Scheme criteria at the time of application.

2. Code of Conduct

- a. Mediators must follow an appropriate and published Code of Conduct.
- b. The code followed must be no less rigorous than the [EU Model Code of Conduct for Mediators](#) published in 2004.

3. Good Standing

- a. Mediators must confirm they are of good standing. This requires applicants to make a declaration to the CMC if they have:
 - i. Been convicted in the United Kingdom of any offence or been convicted elsewhere of any offence which, if committed in any part of the United Kingdom, would constitute an offence;
 - ii. Been disqualified under the Company Directors Disqualification Act 1986 (CDDA);
 - iii. Been erased, removed or struck off a register of professionals;
 - iv. Been the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order in England and Wales or an order to like effect made elsewhere;
 - v. Been a director of a company which entered in to administration or became insolvent in England and Wales or elsewhere;
 - vi. Been responsible for, been privy to, contributed to or facilitated any serious misconduct or mismanagement (whether unlawful or not) in the course of carrying on a professional activity, or discharging any functions relating to any office or employment.
 - vii. Been refused Professional Indemnity Insurance
- b. Applicants are required to make this declaration
 - i. on first application, to establish whether any of these have occurred in the last 5 years;
 - ii. on renewal, to establish whether any of these have occurred since the last application for regulated mediator status.
- c. If an applicant declares that any of these circumstances apply, they will be required to disclose details, and asked to state if they think this will have an impact on their mediation work, and if not, why not. This will be considered by two members of the Registration and Standards Committee, who will have complete discretion to accept or not accept the application. A log of decisions will be kept in order to help Committee members and ensure consistency.

4. Complaints Handling and Feedback

- a. Mediators must have a published complaint handling procedure which meets the [CMC's minimum standards](#).
- b. Mediators must keep written records of any complaints.
- c. All complaints must be investigated in accordance with the published complaint handling procedure and the outcome notified to the complainant within the specified timescale.

- d. Mediators must have a feedback system under which it invites, receives, assesses and reviews, all comments by the parties and their lawyers or representatives in respect of mediations.

5. CPD, supervision and mentoring

- a. Mediators must undertake at least six hours of [mediation-specific CPD](#) per annum in addition to minimum observation or practice requirements. CPD is intended to be for continued knowledge and development of the mediator and these six hours may include a mixture of (but not solely one of):
 - i. courses offering practical role plays;
 - ii. attendance at seminars, conferences, tutorials and debates on mediation;
 - iii. writing articles on mediation;
 - iv. delivering mediation training, seminars or similar events.

Reading articles, mentoring and supervising mediators and preparing for mediation will not suffice. So long as the hours are devoted to mediation-specific topics, CPD hours need not be dependent on recognition by a professional body.

- b. Where a mediator is on parental or long-term sick leave or absent from work for an extended period of time for a similar reason, the period in which any pre-application requirements for observations or mediations and CPD must be completed may be extended from 12 to 18 months.
- c. Mediators should have the opportunity to consult experienced mediators before, during or after each mediation to discuss any issues on which they would benefit from advice.

6. Insurance

- a. Mediators must have professional indemnity insurance cover in place of not less than £1,000,000. Where a mediator is doing work involving sums exceeding this amount, he or she must have appropriate additional insurance cover in place and be able to provide evidence of the same.
- b. In-House Mediators are exempt from the requirement to have professional indemnity insurance provided they are covered by their employer's insurance.

7. Efficient administration

- a. Mediators must have access to suitable and sufficient administrative arrangements that are proportionate to and for the work and workload they undertake (e.g., the handling of enquiries, the recording of calls, the accurate accounting for fees, and the proper rendering of bills to the mediation participants).

- b. Mediators must, where appropriate, be registered as a data controller with the Information Commissioner's Office (ICO). Further information on the requirement to register may be found on the ICO website at <https://ico.org.uk>.

8. Mediation Work

- a. Mediators must be able to demonstrate that he or she ensures that they are appropriately trained, experienced and skilled in the disputes they mediate.
- b. In-House Workplace Mediators must only practise mediation within the organisation they are employed by.