

FAMILY MEDIATION FREQUENTLY ASKED QUESTIONS

What is Family Mediation?

When parents separate there is a lot to navigate. Separation represents a huge change in children's lives that can leave them feeling vulnerable and insecure.

Family mediation is a process, supported by a trained mediator, which helps separated parents minimise conflict between themselves, improve their communication, and find ways to agree on parenting that will bring stability and continuity to their children's lives.

Is Family Mediation a Legal process?

No, any agreements made in family mediation sessions are not legal binding.

How do I know what I say will be kept confidential?

The process of mediation is confidential and mediators must not discuss or disclose any information about you or your partner obtained in the course of a mediation to anyone out with the service including a legal advisor, a court welfare officer or a court.

The only exceptions to this rule of confidentiality would be if a mediator had concerns about the safety of a child, if there was any violence or threat of violence or if information is disclosed in mediation relating to a potential crime.

How much does mediation cost?

Family Mediation with Relationship Scotland – Shetland is free of charge.

Do I have to do mediation if my ex-partner asks me to?

Participation in mediation is always voluntary. You are free to withdraw at any time. If you do wish to withdraw, you can discuss this with your mediator and your mediator may suggest other professional services that may be able to support you.

What training do Family Mediators have?

Family Mediators must successfully complete Relationships Scotland's Family Mediation training over four years and be registered with Relationships Scotland National Office as either an Accredited or a Registered mediator.

Family Mediators must also undergo regular supervision in relation to their professional practice with a supervisor who is approved by Relationships Scotland.

Additionally, Mediators must undertake regular continuous professional development training provided or approved by Relationships Scotland.

Family Mediators are impartial in their approach. What does that mean?

Family Mediators do not take sides or make judgements. They are trained to ensure that everyone gets a chance to talk through their situation and work through the issues that are important. They must conduct the process in a fair and even-handed way.

Where will mediation take place?

Family mediation can take place at our offices in Market House, Lerwick, but can also take place in online video calls on Zoom.

Can I take my new partner to mediation with me?

It is generally not beneficial to have new partners present during the mediation session as you are working towards finding agreements in relation to your children with your ex-partner.

This can be discussed with your mediator and ex partner as on some occasions it may be appropriate to do so and would always require agreement from your ex-partner.

What if I want to do mediation but my ex-partner doesn't?

Family mediation is a voluntary process so sometimes although you may want to enter into mediation your ex-partner may not. Although this can be disappointing we also offer one to one appointments in which you can talk through your situation and explore your options going forward.

If it is not the right time for mediation you are always encouraged to get back in touch with us at a later date. Your mediator will also signpost you to other services if that would be useful for you.

Do I have to agree to attend Mediation if I don't feel safe?

No, as a service the safety of everyone is paramount to us. It is the mediator's responsibility to promote and ensure safety for all.

Do I have to be in the same room as my ex-partner?

There are a number of ways in which you can mediate with your ex-partner.

They are:

Joint Sessions

This is when you are in the same room as each other supported by a mediator.

Shuttle Sessions

This is when you are in the same building as each other but do not meet whatsoever. You will be in separate rooms with staggered arrival and departure times with a mediator supporting your communication. The mediator will work between both rooms to carry communication and support agreements to be made. Mediation can also be provided Online. This is when mediation occurs via Zoom. This also can be done in two ways.

Joint Online

This is where parents can be on the same screen within the online call.

or

Shuttle online

This is when parents can be in separate screens within the online call. The mediator will work between both screens to carry communication and support agreements to be made.

If I agree to engage with Family Mediation, what are the things my ex-partner and I are likely to talk about?

Throughout the mediation process you may want to talk about things like:

Communication

This could include ways in which you communicate with your ex- partner, the language you both use to communicate with your children.

Living arrangements and time together

This could include where will your children live, how much time will they spend with each of you, how will you spend your time together, and if either of you have a new partner, how or when you will you introduce them to your children.

School and education

This could include how you will you speak with the school about your changes in your family, how you both receive information from the school, who collects the children from school and how you will communicate about your children's education.

Holidays

This could include how your children spend time with you over the holidays, how trips away can be organized and how you can talk to your children about these arrangements.

Health

This could include how you will ensure that your children attend medical appointments, who gives consent for medical treatment and how you will involve your children in decisions about their health.

Changes to agreements

This could include working to revise agreements without causing further conflict, defining how often you review your agreements and how you communicate with each other if you feel like something needs to change.

What if we cannot reach an agreement?

While engaging in mediation helps many people, it is not always successful. You are likely to attend several sessions of mediation as it is unlikely that you will reach agreement on everything you want to discuss in one session.

Sometimes you may be unable to find agreement on certain things with your ex-partner, however, you should not be discouraged. Your mediator will assist you to talk through issues and work towards how you co parent in to the future as to support your children's wellbeing.

What happens after a mediation session?

Following each session, your mediator will provide you with a summary of the agreements you have made. You can use this summary to review your progress and think about what you might talk about in the next session.

Do my children get to talk to someone about what they want?

Yes. We can, where appropriate talk to children to hear their views. We call this Consulting Children in Mediation.

The purpose of consulting with children is to support parents to reflect on their children's perspective, and to encourage parents to consider their child's thoughts, wishes, feelings and needs in their decision making..

The decision as to whether consultation is appropriate, undertaken by a mediator trained specifically for this purpose.

As a guide, the minimum age for children to be consulted within the mediation process is 8 years old. Your family mediator can give you more information on this process if you want to learn more.

What if I do not feel comfortable with the mediator?

Where possible it is recommended that you remain with your mediator throughout all your sessions however, if you do not feel comfortable with your mediator, you can talk to us about a different mediator being appointed.