

## PROFORMA MEDIATION AGREEMENT

Whereas Court of Protection proceedings were issued on [Insert date] in case number [ ]

The parties to those proceedings are [INSERT ]

The parties to those proceedings engaged [NAME OF MEDIATOR] to mediate the following issues from the COP proceedings at a mediation which took place on [DATE]:

(i) INSERT

(ii) INSERT

The parties agree that 'P' lacks the capacity to make decisions for him/herself in respect of the issues listed above.

The parties are aware of their obligations set out in the Mental Capacity Act 2005 to make decisions in P's best interests

The parties have come to the following agreement as set out below:

### AGREEMENT:

- 1 The parties agree:
  - a. INSERT SUBSTANTIVE AGREEMENT ON P'S BEST INTERESTS
  - b. INSERT
- 2 The parties agree that the matters set out above are consistent with P's best interests.
- 3 [The parties agree that the following issues remain in dispute and will need to be referred to the Court of Protection for determination:
  - a. INSERT]
- 4 The parties agree that [insert name of the party] will make an application to the COP to [withdraw proceedings/for an order] by [Date].
- 5 The parties agree that the following information from the mediation can be shared with the COP:
  - a. This agreement
  - b. [Insert anything else that is agreed]
- 6 The parties agree that the following information from the mediation can be shared with the following third parties [INSERT PARTIES]:
  - a. This agreement
  - b. [Insert anything else that is agreed]

- 7 The parties agree that the costs of the Court of Protection proceedings will be dealt with as follows:
  - a. INSERT

Signed

Dated