

MEDIATOR ACCREDITATION SCHEME for SEND MEDIATORS

The Standards and Assessment Pack

This document contains the following parts:

Part 1: The Process

Part 2: The Standards

Part 3: The Evidence File

This pack is an updated version of 'Assessment Pack – A Guide for the Assessment of Mediator Competence' and was originally published by Mediation UK

Part 1: THE PROCESS

Assessment of Accreditation for Practising Mediators

A practising mediator is defined as a mediator who has successfully completed a training programme and has had a period of supervised practice experience working on 'live' cases. Applicants are asked to draw on their current and past mediation experience to demonstrate their competency in the field of SEND mediation and so gain accreditation.

This accreditation process is open to mediators who work independently of any specific service and it can also be used by mediators working for a Mediation Provider Organisation (and therefore part of a panel member of the Civil Mediation Council) who wish to gain individual accreditation.

All independent mediators should have a Professional Practice Consultant (PPC) or Supervisor to help them reflect on their practice and support them to complete this portfolio.

This document sets out the standards and the evidence that needs to be gathered to complete the application for accreditation. (see Section 2 The Standards)

Step 1: Compiling an Evidence File

Mediators are asked to compile an evidence file which demonstrates how they meet these standards. The file should be put together with the support of the PPC who will meet with the mediator at an early stage to draw up a plan to ensure that sufficient skills and knowledge are demonstrated.

During the practice period the PPC should have opportunity to observe the mediator at work. Before an application is made the PPC should feel confident in the mediator's ability to practice in this area of work and will need to submit a witness testimony to this effect as part of the evidence file.

Mediators will be required to submit evidence on the basis of a minimum of 3 cases conducted within the last two years. (see Part 3: Evidence File)

Step 2: Reviewing the Evidence File

Mediators should be receiving support from their PPC throughout the period of time in which they are gathering evidence, in order to identify gaps and ways in which these may be filled. When the portfolio is nearing completion, there should be a formal review meeting with the mediator and their PPC. At this meeting the file is checked to ensure that there is sufficient evidence to demonstrate accreditation. PPC's will be required to provide a witness statement for inclusion in the file, to testify to the mediator's skills and knowledge as an SEND mediator.

Step 3: Applying for Assessment

Once the evidence file is ready for external assessment, the applicant should send an email to admin@collegeofmediators.co.uk or applications@civilmediation.org clearly marked SEND Accreditation Application¹. The submission should include the following documents:

- ⇒ A covering letter including Name and Contact Details; details of your SEND Mediation
- ⇒ Evidence of successful completion of mediation foundation training of 40 hours in length and (if this was not specific to SEND) evidence of successful completion of a 2 day specialised training in SEND Mediation skills and knowledge.
- ⇒ Evidence of a period of supervised practice
- ⇒ A minimum of 3 case histories
- ⇒ Details of how you meet the standards outlined in sections 1 – 6 of the standards document
- ⇒ Other supporting evidence as outlined in the Evidence Guide.

Application Fees

There is a fee of £130 plus VAT to have your portfolio assessed. Until March 2020 there is grant funding available from the Department for Education to meet the costs of this. Please either:

- enclose a cheque with your application and /or
- indicate in your covering letter that you would like an invoice to be sent or
- indicate in your covering letter that you would like us to apply for grant funding on your behalf.

Step 4: Assessment and Accreditation

- i) Once your application has been received an assessor will be appointed from our panel within two weeks.
- ii) The assessor will review the evidence file and make a recommendation to the panel.
- iii) A recommendation will be made within 4 weeks of the submission of your material and you will receive notification
The various options for recommendation are:
 - A. Approval
 - B. Approval after alterations / submission of further evidence
 - C. No approval (with reasons clearly stated)

¹ In the event that this is not possible please contact the College Co-Ordinator

Applicants may appeal to the Joint Chairs of the Assessor Panel (representing both the CMC and the COM) if they are unhappy with the decision. The Chairs' decision shall be final.

Once successfully approved, the award is called 'Mediator Accreditation Status'. The College of Mediators and the Civil Mediation Council hold a shared register of accredited SEND mediators which is available on both websites.

Part 2: THE STANDARDS

For the Assessment of Mediator Accreditation

These Standards describe:

- What a competent mediator is expected to be able to do (after initial basic training and a period of supervised practice)
- The range of skills and qualities that an accredited mediator will demonstrate.
- The areas of knowledge and understanding that are required to underpin good practice.

Although the Skills and Qualities are located alongside specific mediator activities, they are not necessarily restricted to those particular activities. Mediators may demonstrate some of these skills and qualities across a number of the standards.

The Standards are arranged in Six Sections:

1. Preparing for a Case
2. Initial & Follow Up Contact with Clients
3. Conducting Mediation
4. Evaluation & Accountability
5. Case Administration & Management
6. Working in a Professional & Ethical Framework

Guidelines on assessment and putting together an evidence file accompany these Standards.

1. PREPARING FOR A CASE

ACTIVITIES What an accredited mediator does	SKILLS & QUALITIES	UNDERPINNING KNOWLEDGE & UNDERSTANDING
1.1 Keeps the service informed of availability / organises own time to ensure availability	Has a commitment to Mediator Agreements	The policies & procedures of the Mediation Service (where applicable) re allocation and opening of cases
1.2. Checks case information received and takes appropriate action promptly	Demonstrates reliability	
1.3. Checks for conflict of interest or other reason for not proceeding with the case	Shows self-awareness. Is honest and open	What would constitute a conflict of interest and what would prevent a mediator taking on a case
1.4. Prepares to start the case through discussion with co-mediator and others	Is able to contribute to building effective working relationships	
1.5. Keeps the service and other stakeholders fully informed of action taken	Is committed to open lines of communication and keeping people informed	What needs to be discussed and agreed at this stage
1.6. Checks what information has been sent to the clients	Is able to communicate in a clear and helpful style	Health and Safety issues/ policies Knows and understands safety procedures
1.7. Phones/writes to arrange first contact		

2. INITIAL & FOLLOW UP CONTACT WITH CLIENTS

ACTIVITIES What an accredited mediator does	SKILLS & QUALITIES	UNDERPINNING KNOWLEDGE & UNDERSTANDING
<p>2.1. Makes contact with each party</p> <p>2.2 Starts the process of building rapport</p> <p>2.3 Begins the process of creating a helpful, productive and safe environment</p> <p>2.4 Listens to clients' circumstances, feelings and priorities</p> <p>2.5 Finds out who is directly concerned in the dispute and establishes who should be involved, including those with decision making authority</p> <p>2.6 Actively considers how the voice of the child will be heard and whether they might be directly involved in the mediation</p> <p>2.7 Identifies specific client needs and ensures all clients are able to access the service</p>	<p>Has a friendly and encouraging way with people Present self-confidently</p> <p>Able to gain the confidence of clients through active listening- giving appropriate time & attention and thinking space</p> <p>Able to reduce the effect of distractions respectfully.</p> <p>Can assess potential threats to personal safety or well-being during contact with clients and take action to reduce those risks.</p> <p>Able to encourage clients to open up and speak freely.</p> <p>Has awareness of the space needed for clients to ask questions & express concerns</p>	<p>What helps or hinders the building of rapport? What is active listening? Why is it important to listen - what are the purposes?</p> <p>What sort of distractions might there be?</p> <p>Identify possible threats and describe the sort of action mediators can take</p> <p>How to encourage clients to open up and speak freely</p> <p>What specific needs might clients have that could prevent access to mediation How can these be addressed?</p>

2. INITIAL & FOLLOW UP CONTACT WITH CLIENTS (continued)

ACTIVITIES What an accredited mediator does	SKILLS & QUALITIES	UNDERPINNING KNOWLEDGE & UNDERSTANDING
<p>2.7 Enables the clients to determine the use they will make of the service</p> <p>2.8 Agree with the clients the next steps in the mediation</p> <p>2.9. Discusses, where applicable, with co-mediator (s) how the next stage will be managed and builds a good working relationship</p> <p>2.10 Informs the service and other stakeholders of next steps agreed and requests resources and any specific support that are required</p>	<p>Able to present information about what mediation can, and cannot offer in a clear and straight forward way</p> <p>Can describe the practicalities of a mediation meeting and check that there is a common understanding</p> <p>Able to promote the benefits of mediation in a particular case without coercing clients.</p> <p>Able to respond constructively to clients' concerns, objections and questions</p> <p>Able to assess and discuss with clients which issues are mediatable and which not</p> <p>Willing to listen and share ideas Open and honest</p> <p>Committed to open communication</p>	<p>Know & understand the boundaries of mediation and what the service can and cannot offer</p> <p>Knows and understands the mediation framework - how it works!</p> <p>Understands the potential outcomes from mediation compared with other resolution methods and processes</p> <p>Understands the relevant legal and/or policy frameworks operating in the context and where mediation sits alongside them</p>

3. CONDUCTING MEDIATION

ACTIVITIES What an accredited mediator does	SKILLS & QUALITIES	UNDERPINNING KNOWLEDGE & UNDERSTANDING
<p>3.1. Reviews how the mediation will be managed</p> <p>3.2 Prepares the physical environment to enhance a safe space and a productive mediation</p> <p>3.3 Welcomes the parties and helps them to settle</p> <p>3.4 Explains the process and how the mediation will be conducted - agreeing the boundaries and ground rules</p> <p>3.5 Helps clients to identify and explore the issues to be resolved with each other</p> <p>3.6 Establishes the issues as clients see them</p>	<p>Is well prepared</p> <p>Able to plan in plenty of time to prepare the meeting place</p> <p>Presents a friendly respectful manner</p> <p>Able to present information clearly and without unnecessary jargon</p> <p>Able to pace the meeting to give clients appropriate time & attention and thinking time</p> <p>Is alert to anything that might limit effective communication and find ways of reducing those limits.</p> <p>Able to clarify understanding by checking the significance of what clients are trying to communicate</p> <p>Able to use various questioning methods in a sensitive way to draw clients out</p> <p>Can summarise clients' statements accurately</p>	<p>What needs to be considered when preparing for a joint mediation meeting or a shuttle mediation?</p> <p>What can help or hinder the mediation process?</p> <p>What can help reduce tension at the beginning of the meeting?</p> <p>Know and understand the mediation process.</p> <p>Understands what factors can limit communication and how to reduce them.</p>

3. CONDUCTING MEDIATION (Continued)

ACTIVITIES What an accredited mediator does	SKILLS & QUALITIES	UNDERPINNING KNOWLEDGE & UNDERSTANDING
<p>3.7 Helps overcome resistance, misunderstandings and blocks to progress</p>	<p>Can recognise and acknowledge the existence of resistance, misunderstandings and blocks to progress</p> <p>Able to use a variety of interventions to move things on</p> <p>Able to help parties move from fixed positions to consider interests they might have in common</p> <p>Able to make appropriate use of separate meetings during a mediation session</p> <p>Can maintain boundaries- able to resist advising, leading and introducing own agenda</p>	<p>Know the range of interventions open to a mediator.</p> <p>How to help parties explore and generate options</p> <p>Understand the difference between positions and interests</p> <p>The purpose of separate meetings How to use and manage them</p>
<p>3.8 Manages any conflict</p>	<p>Able to pay attention to language, tone of voice and body language</p> <p>Can recognise behaviour that threatens to undermine progress or safety</p> <p>Can set boundaries for behaviour but allow for and respond constructively to strong emotions</p> <p>Can reflect back to clients in an acknowledging way without collusion</p> <p>Able to act assertively to stabilise a situation and restore self esteem</p>	<p>Understands the causes/sources of conflict</p> <p>Know the sorts of behaviours that threaten safety and progress</p> <p>Ways of channelling the energy in conflict constructively</p>

3. CONDUCTING MEDIATION (Continued)

ACTIVITIES What an accredited mediator does	SKILLS AND QUALITIES	UNDERPINNING KNOWLEDGE & UNDERSTANDING
<p>3.9 Acts impartially, non-judgementally and respectfully to all clients</p> <p>3.10 Addresses any power imbalances</p> <p>3.11 Empowers the clients to identify & understand each others interests and achieve mutually satisfying outcomes</p>	<p>Able to give balanced attention to all. Shows awareness of the diversity of needs in different clients and responds sensitively. Has a commitment to win/win resolutions. Uses neutral language that does not place blame with any party Show awareness of own perceptions of & attitude towards clients.</p> <p>Able to monitor and modify own behaviour in respect of this Able to recognise the presence of power imbalances and their effects Able to make them explicit and act to balance power Able to encourage co-operative and open sharing of views, information & feelings Able to encourage the parties in collaborative problem solving Able to resist advising, leading and introducing own agenda Able to use empowering behaviour</p>	<p>Aware of own prejudices, discriminating behaviours, assumptions, values, beliefs, perceptions and feelings about others</p> <p>Understands how own perceptions & attitudes can affect the mediators responses What are the signs and effects of power imbalances? How a mediator can act to help balance power Know what 'tools' and strategies are available to the mediator Know which behaviours can empower and which disempower</p>

3. CONDUCTING MEDIATION (Continued)

ACTIVITIES What an accredited mediator does	SKILLS AND QUALITIES	UNDERPINNING KNOWLEDGE AND UNDERSTANDING
<p>3.12 Brings the session to a timely and measured close.</p> <p>3.13 Ensures that clients understand what are the agreed outcomes (at this stage- if the process is not completed)</p> <p>3.14. Ensures that clients leave knowing and understanding any agreed further action</p> <p>3.15. Ensures that, where written agreements are drawn up, these are signed as appropriate and a copy given or sent to all parties</p> <p>3.16 Ensures that everyone leaves with a sense of what has actually been achieved. (Even if full agreement has not been reached)</p>	<p>Able to pace the session to leave sufficient time to bring it to a measured close</p> <p>Show clarity of communication Checks for understanding</p> <p>Ability to recognise and summarise succinctly what has been achieved</p>	<p>Understand the range of positive outcomes that may arise from participating in the mediation process</p>

4. EVALUATION AND ACCOUNTABILITY

ACTIVITIES What an accredited mediator does	SKILLS AND QUALITIES	UNDERPINNING KNOWLEDGE AND UNDERSTANDING
<p>4.1. Makes time for & carries out a debriefing session after client contact</p> <p>4.2 Gives and receives feedback with comediator and others as appropriate</p> <p>4.3 Receives feedback on practice following formal observation of practice</p> <p>4.4. Identifies for personal use, and in supervision, areas of practice that need to be worked on</p> <p>4.5 Takes part in regular supervision and appraisal processes as required by the service</p> <p>4.6 Completes and submits case records/ feedback sheets/monitoring information according to their own or the service's policy & procedures</p>	<p>Commitment to learning from experience Able to give honest, specific & constructive feed back to others</p> <p>Able to receive feedback openly from others and use it as a self-development tool</p> <p>Can reflect on personal experiences, and be aware of the extent and limitation of their skills and knowledge</p> <p>Able to recognise and reflect on emotional responses in order to develop self awareness and learning insights</p> <p>Able to reflect on the case history, identify the key issues and evaluate the impact of the mediation process and the mediators' input</p> <p>Is honest and open in evaluating a case Has good written communication skills</p>	<p>What the content of a debriefing session might cover</p> <p>How to observe and monitor another's Practice How to give feedback</p> <p>Understand what is expected of a Mediator</p> <p>Has systems in place / Knows the service's systems and processes for evaluation and monitoring mediation</p> <p>Understands the mediator's role in Evaluation</p>

5. CASE MANAGEMENT AND ADMINISTRATION

ACTIVITIES What an accredited mediator does	SKILLS AND QUALITIES	UNDERPINNING KNOWLEDGE AND UNDERSTANDING
5.1. Responds to contact from the service or the referrer about a new case promptly	Committed to supporting a responsive service and colleagues	Has procedures and practice guidelines in place or is aware the service guidelines Knows who needs to be informed and the modes of communication to be used Know the procedures required by the Service or referring agency
5.2 Makes and attends appointments with clients in line with require timescales and procedures	Committed to contributing to a quality service for clients. Is reliable	
5.3 Follows through courses of action agreed with clients (and co-mediator if applicable) in agreed timescale	Shows respect for clients and colleagues	
5.4 Keeps everyone informed of progress and action taken	Committed to open and effective communication	
5.5 Makes expenses claims according to policy & procedures	Follows instructions and requests from mediation service staff or referring agency	
5.6 Completes all administration as required by the service or referring agency promptly and confirms completion of the case	Has a professional approach to mediation	

6. WORK WITHIN A PROFESSIONAL FRAMEWORK

ACTIVITIES What an accredited mediator does	SKILLS AND QUALITIES	UNDERPINNING KNOWLEDGE AND UNDERSTANDING
<p>6.1 Undertakes continuing development and learning activities as identified through reflection on practice and/or supervision</p> <p>6.2 Seeks help where limitations on competence or other circumstances could affect the quality of the service to clients</p> <p>6.4 Informs the service or PPC of any issues of concern including abuse, racial or sexual harassment and violence</p> <p>6.5 Maintains the mediator/client relationship within contractual boundaries as defined by the services policies and procedures</p> <p>6.7 Works to the College's/CMC's Code of Practice and policies regarding Confidentiality, Equality of Access, Non-discrimination and Health & Safety</p>	<p>Able to reflect on mediation experiences and identify aspects of practice that need to be worked on or developed</p> <p>Able to draw up a self-development plan, review it and modify as necessary</p>	<p>Good practice guidelines and code of practice</p> <p>How to review practice in a systematic way</p> <p>The form a self-development plan might take</p> <p>Knows who to approach for help when difficulties arise</p> <p>What issues should be referred to the service & who should be informed</p> <p>The College's/CMC's Code of Practice and policies</p>

Part 3: THE EVIDENCE FILE

The purpose of an external assessment is to confirm that there is sufficient evidence to show that a mediator is competent and has been supported by their PPC. The mediator, using the College of Mediators Standards will gather evidence of competence from a period of work as a practising mediator and from supervision sessions.

The purpose of the evidence file is to provide a 'picture' of a competent mediator. Evidence needs to be sufficient, relevant and reliable, confirming that the standards of good practice have been met and offering confidence that this will continue.

There are various ways in which evidence can be presented:

1. Records of direct observation of the mediator's practice - ideally of real life events - but if necessary, observations of simulated experiences.
2. Case Histories - i.e. Recordings of specific cases, which illustrate how the mediator met the practice standards.
3. Examples of Case notes/records as required by the service.
4. Written accounts/statements from co-mediators, colleagues, administrators, supervisors, managers which will confirm/support that good practice standards have been met.
5. Reflection on learning.
6. A Supervision record.
7. Questioning by the supervisor/assessor (or other knowledge evidence).

Also, any other documentary evidence to support the claim for competence. Guidelines for putting together an evidence file are set out below.

How many cases?

There must be evidence from at least 3 separate cases.

Cases evidence must go to full completion and should have been undertaken within the last two years.

Cases that do not progress to round table meetings may provide sources of evidence to meet parts of the standards and can be referred to within the submission, however, a full case commentary should be provided for three complete cases.

At least one case should have been observed by the PPC or other co-mediator and a witness testimony provided.

What sorts of evidence will be needed by Section

The following provides examples of the kinds of evidence that can be submitted:

1 Preparing for a case

- Descriptions of preparations for at least three cases
- Knowledge evidence from written or oral Q & A

2 Initial & Follow Up Contact with Clients

- Observation by a PPC or co-worker for one case and case histories with self - assessment for at least two more
- Other feedback statements from co-mediator/other colleagues where applicable
- Case notes/records
- Reflection on learning (written or verbal in supervision)
- Knowledge evidence from written or oral Q & A

3 Conducting Mediation

- Observation of the mediator conducting at least one Mediation Meeting
- Case Histories with self-assessment from at least two other mediations
- Case notes/records associated with these cases
- Reflection on learning from the experiences
- Feedback statements from co-mediators/other colleagues
- Knowledge evidence from written or oral Q & A

4 Evaluation/Accountability

- Completed feedback sheets/case records/monitoring information
- Supervision Record
- Feedback Statements from co/mediators/colleagues

5 Case Management & Administration

- Supportive statements from Administrator/Case workers/Manager
- Case Records
- Other supportive documentation

6 Work Within a Professional Framework

- Training and Development Records
- Supervision Record
- Reflection on learning from experience
- Knowledge evidence from questions