

# PROFESSIONAL MEDIATION WORLDWIDE Promoting Consensus and Access to Justice www.IMImediation.org

# **Consensus Campus**

**IMI Certified Mediation Training Program** 

## **The Organisation**

Legal CONSENSUS GmbH

name

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Website Website CONSENSUS Campus: https://consensus-campus.de/en/; Program

Mediation Training: https://consensus-

campus.de/en/courses/#mediatorenausbildungen; Website CONSENSUS

Group Mediation: https://consensus-group.de

### Registration

If there is a requirement within a jurisdiction that a training course should be registered, then it should be complied with by the training provider, and the training course should be registered.

Year formed, and under laws of what country/ies	2014 in Germany
Training course registered in	Yes

accordance with jurisdiction requirements	
Locations and Languages	CONSENSUS is represented in several German cities; Stuttgart, Hamburg, Berlin. We will soon be providing mediation training in Frankfurt am Main, Munich and Brussels, too. Our mediation training is provided in German (Stuttgart, Hamburg, Berlin) and English (Berlin, later Brussels). We follow the same course outline in all our mediation trainings, we hand out the same materials designed by our trainers, we involve most of our trainers at each location, we provide opportunities to take part in an alumni network supporting cross-city, cross-course communication and exchange. We coordinate and organize applications, trainings and any other services needed by trainers or participants in our primary office in Stuttgart.

#### **Course Content**

Course content can be divided into Knowledge Development and Skills Development topics.

The essential KNOWLEDGE topics that should be included in any training program are mediation principles; the roles of legal counsel and representatives; an overview of negotiation and conflict resolution theory; mediator ethics.

The essential SKILL topics that should be covered, demonstrated, and practiced in any training program are forms of listening skills and communication strategies, process management skills (including the use of joint and private meetings), negotiation strategies and skills to manage the content of the dispute, and ways of responding to parties' diverse behaviours.

Attach your course outline	See Annex – Course
	outline.

Mediation principles - neutrality, voluntary nature, confidentiality, party self-determination, process	Module 1
The roles of legal counsel and representatives	Module 4
Overview of negotiation and conflict resolution theory	Module 3
Mediator ethics, including appropriate local ethical standards	Module 4
Forms of listening skills and communication strategies	Module 2
Process management skills, including the use of joint and private meetings	Module 2 and 3
Negotiation strategies and skills to manage the content of the dispute	Module 3
Ways of responding to the diverse behaviours of the parties	Module 2,3,5

## **Competency Framework**

A training course must have a 'competency framework' which clearly and concisely sets out the core competencies that an effective mediator should possess. This framework should be consistent with the content and skills requirements of the course as set out under Section 2 of these guidelines.

Attach competency	See Annexes – Competencies 1 and 2, Competency framework,
framework	Competency assessment

#### **Course Duration**

For a course to cover adequately the necessary content using appropriate methodologies, (both of which are set out in these guidelines), courses should have a substantial number of training hours being not less than 40 hours. This does not include pre-course preparation, lunch and breaks.

Course duration	120 hours

## **Group Size**

It is recommended that courses have a maximum class size of 30 students, with the trainerstudent ratio ranging between an ideal of 1 trainer to every 6 participants; to a maximum of 1 trainer to every 10 participants.

Maximum class size	10
Maximum trainer to participant ratio	1 trainer per 10 participants, often even 2 trainers per 10 participants on our "Practice Sundays" where participants take part in role plays most of the day.
Overall approach to class size or trainer-participant ratio	We ensure that for each module, one key trainer is responsible for giving input based on her/his expert area sharing experiences, instructing practical exercises and leading discussion rounds. In order to ensure continuity for each group, we assign one key trainer to every single location. The key trainer attends every first day of a new module as well as the last one in order to attend role plays and give feedback. As each module takes place within three days (one weekend), we chose to focus on role plays each Sunday. Two trainers will always be there to supervise role plays and manage feedback sessions. However, each module deals with different
	aspects, perspectives and mediation styles. Our trainers have an interdisciplinary background and provide their knowledge and experiences from different working fields such as psychology, communication and law.

## **General Teaching Approach**

Mediator Skills training courses should be participatory, interactive and learner focused. To ensure this, a variety of teaching methodologies should be used, including lecturing, videos, interactive exercises, individual work, group discussion, talking in pairs, and role-playing. As

a guideline, for the practical part of any course, that is designed to teach the process and skills to be an effective mediator, the following percentage of time should be spent on these different approaches to training delivery: Lecturing/knowledge input/presentation – approximately 10%; Exercises and discussion – approximately 40%; Role-playing, coaching and feedback– approximately 50%

Lecturing, knowledge input, presentation	Each module focuses on a different key topic/section of mediation. Thus, an input is given by the trainer in order to learn, discuss, practice, reflect and implement new aspects and skills. We therefore aim to give a short input for each module which adds up to less than 10% of the module.
Exercises and discussion	In order to internalize, try out, practice and reflect new-learned aspects of the mediation, short exercises followed by discussions are the way our participants work with the input given by our trainers. Exercises and discussion therefore take up about 40% of the seminar hours.
Role-playing, coaching, and feedback	"Practice makes the mediator" is what one of our trainer always repeats during module 2. We also work with scrum boards and checklists in order to record exercises and their focus as well as participants taking over the role of the mediator. Our experiences show that participants gain self-confidence as a mediator when taking part in role-plays regularly and receiving feedback. They are able to experience the progress over the modules themselves. This is why 50% of the modules are about role-plays, feedback sessions, coaching and reflection.

#### **Participant Materials**

When preparation prior to the course is required, participants should receive comprehensive materials in sufficient time to allow them to prepare adequately. As a guideline, it is suggested that this should be no later than two weeks in advance of the course.

In a similar way, when participants are required to prepare for their roles in advance of the role plays, role play confidential briefs should be supplied in sufficient time to allow role

players to prepare. As a guideline, it is suggested that this should be no later than one week in advance of the course.

If courses are designed with no pre-course preparation required, this guideline does not apply.

In what format and how far in advance do participants receive general course materials and confidential role play briefs? The general course material, the script for each module, is handed out at the beginning of each module in order to provide all relevant information and participants do not have to write down what is taught within the module. During the course of the mediation training, participants are expected to study the course material complementing the seminar weekends. Each module starts with open questions of the participants concerning the script and the latest module. Furthermore, we ask participants to fill out self-evaluations between the modules including questions about how useful, clear and complete they personally evaluate the script. This way, we can continuously develop our course material.

Role plays are assigned in the modules. Only in exceptional cases (more complicated role plays or online simulations) participants receive confidential role play briefs 1 week before the module.

### **Setting up Role Plays**

Role plays are used for participants to practise the wide range of mediation skills in a simulated environment and also for participants to have the benefit of feedback and coaching from an experienced mediator, acting as a coach. Accordingly, role plays should be planned and run to allow the participants the maximum opportunity to learn.

Each role play in a course has a maximum of six persons for a two party mediation.	Yes
Mediation time slots within role plays are a minimum of 45 minutes	Yes

At least 50% of role plays are supervised by an experienced coach/trainer, and a coach is present for at least 50% of the role playing time	Yes
Where role plays are used as assessments, they are supervised by the assessor 100% of the role play time	Yes
Coaches are rotated among groups and participants	Yes
Coaches and trainers who coach a participant are not involved in subsequent assessment of that participants	Yes
Role plays during the course ensure participant work with the widest range of fellow participants as possible	Yes
All participants mediate the same number of times in role plays	Yes
Role plays are varied in subject matter and allow for practice of different stages of the mediation process	Yes

## **Providing Feedback**

Participants learn not only by practising the skills of mediators but also from receiving feedback from experienced mediators acting in the role of coaches throughout the course. Training programmes must provide opportunities for feedback to participants. This feedback should be delivered using a competency framework to ensure consistency of approach to feedback by coaches trained in delivering effective feedback (see coaches' guidelines).

How is performance feedback given to participants on your course?	During and after our exercises within the modules, trainers and students give direct feedback. Furthermore, we provide feedback forms where trainers and/or participants can give detailed feedback.
Attach course feedback forms or guidance	See Annex – Feedback sheet

#### **Performance Assessment and Accreditation**

If a course is designed to assess, certify or accredit a participant as having the necessary skills and knowledge to mediate a dispute competently, then it must contain an actual assessment of the participant's mediator competence, as compared to its own competency framework, developed under these guidelines. In relation to assessment of a mediator's skills, this should be done using a participant's performance during a role play.

Does your course provide an assessment of a participant's competence as a mediator, and if so, how is this process undertaken? Our course does provide an assessment: First, our head of mediation training and our trainer of the last module provide a closing colloquium, seen as an exchange between experts where all participants take part contributing with their gained theoretical knowledge. Second, participants will mediate within a role-play in order to show their mediation skills individually and in practice. The assessment is followed by individual feedback and handing over the certificates. If someone has not met all the requirements of a certified mediator yet, she or he receives a certificate of participation. Focus: Role plays.

Does your course provide an assessment of a participant's knowledge as a mediator, and if so, how? Our course does provide an assessment: First, our head of mediation training and our trainer of the last module provide a closing colloquium, seen as an exchange between experts where all participants take part contributing with their gained theoretical knowledge. Second, participants will mediate within a role-play in order to show their mediation skills individually and in practice. The assessment is followed by individual feedback and handing over the certificates. If someone has not met all the requirements of a certified mediator yet, she or he receives a certificate of participation. Focus: Closing colloquium.

Process of appointing assessors on a course	There are various factors which are key in order to appoint our assessors: their experience as a mediator, their experience in teaching/didactics, neutrality, good feedback skills and intercultural knowledge to give appropriate feedback. Due to our interdisciplinary team we have a various network of colleagues we already know from working together. After a positive evaluation of the above-mentioned factors we decide, who will be joining the CONSENSUS Campus team.
Clarification of passing criteria. How a student passes or fails this CMTP	Our trainers discuss the performance of each participant regularly. Furthermore, at the end of the training, a final discussion about certain fields of mediation takes place. In addition, each participant will mediate a case. Finally, the trainers and our head of mediation training will give detailed feedback considering all five modules and the finals tasks. Consequently, each participant receives an individual certificate.
Next steps taken, should a student fail.	If a student should not meet our expectations, yet, we will provide and discuss options of further training and supervision.

# Facilitation of further development as a mediator

While it is accepted that training providers cannot offer actual mediations for all participants, they have an obligation, as far as possible, to facilitate participants' further development as a mediator.

Indicate what your	We offer a wide range of trainings, workshops, seminars
organisation does to facilitate	and courses (Coaching training, NLP, conflict controller
participants' development as	training). Participants can book advanced courses to
mediators	specialise on business mediation or family mediation.

#### **Complaints and Appeals Policy**

All courses should have a clearly set out written complaints policy for participants who are dissatisfied with the quality of the course.

In addition, for those courses that have an assessment element, there should be a clearly set out appeal or review process for participants who are not satisfied with the outcome of their assessment.

Attach complaints and appeals	See Annexes – Trainer feedback, complaints
policy	policy

#### **Conflicts of Interest**

Please outline what steps you take to avoid any potential conflicts of interest between trainer/coaches/assessors and participants on your course.

Team meetings, joint supervision rounds and the possibility to approach colleagues who are not part of the trainer team and thus, not involved in the mediation training are consistently provided and held in order to establish a culture of openness, exchange, evaluation and transparency. Before the beginning of the course we ask our lecturers if they know any of the participants. If so, they are not allowed to take the final exam in order to ensure neutrality. In addition, our contracts include that there must be no bilateral agreements between participants and lecturers. Mediations, which for example result from the training, must be conducted through CONSENSUS, so that transparency is maintained.

A so called "scientology agreement" is part of our contracts as a mere formality as in Germany, authorities and ministries ask for such information before a contract is awarded. It is a declaration not to have connections to Scientology to make sure that our assessors do not represent any Scientology related positions in order to avoid manipulation and conflicting interests.

# **Trainers, Coaches, and Assessors**

Anyone seeking to act as a TCA has successfully participated in a mediation training course which meets the requirements set out above.	Yes
Where mediator registration is required in a jurisdiction, trainers, coaches and assessors are registered as mediators.	Yes
TCAs have conducted at least two actual mediations of at least four hours' duration in each of the preceding three years before being appointed. Once appointed, they conduct two actual mediations of at least four-hours duration per year AND are able to show that they have maintained continuous professional development (CPD) of six hours per year.	Yes
Trainers attend 'train the trainer' training of at least 18 hours, broadly covering topics set out in the IMI guidance notes	Yes

Coaches and assessors undertake a course broadly covering topics set out in the IMI guidance notes	Yes
Trainers deliver at least one basic mediator skills training course or refresher course every two years	Yes
Coaches and assessors coach and/or assess at least four role play sessions over the course of two years.	Yes
On-going feedback is sought from course participants, and given to those delivering the course.	Yes
New TCAs are to be observed and given performance feedback by senior colleagues	We provide further training, online meetings and intercollegial training. We regularly schedule team meetings and internal training seminars or webinars. Regularly, we work in teams in order to give feedback, too.

Explain your peer review system for trainers, coaches and assessors	We provide further training, online meetings and intercollegial training. We regularly schedule team meetings and internal training seminars or webinars. Furthermore, we discuss feedback given my students.  A few examples are:  • Webinars: Our assessors provide webinars for our alumni, participants and our team.  • We hold regular team meetings in order to exchange experiences, knowledge and concerns.  • We offer our trainers to sign up for trainings carried out by external trainers in order to give access to a wide range of perspectives, knowledge and topics (Coaching for Mediators,
	NLP etc.)  The presentation about our company outlines the train-the-trainer program we provide (esp. slide 6).
Attach Train-the-Trainer Program	See Annex – Introductory slides (German)
Attach template feedback form	See Annex – Learning progress questionnaire