



International Mediation Institute

PROFESSIONAL MEDIATION WORLDWIDE

Promoting Consensus and Access to Justice

www.IMImediation.org

London School of Mediation

IMI Certified Mediator Training Program

The Organisation

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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	2010 UK
Training course registered in accordance with jurisdiction requirements	Not required

<p>Locations and Languages</p>	<p>English is the only language in which the course is delivered.</p> <p>The courses are delivered in person Worldwide.</p> <p>The course standards overseas are identical to UK course standards.</p> <p>Delegates are required to have a good grasp of technical English.</p> <p>English legal aspects of the course such as AML and Proceeds of Crime are discussed in the context of the local norms.</p> <p>We have conducted 40 hour courses face to face in the Caribbean, Sweden, Hong Kong, Turkey, New Zealand, Republic of Ireland, Belgium, The Netherlands, South Africa and India.</p> <p>We also deliver an online international course which we understand is not currently certified by IMI.</p>
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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.

<p>Attach your course outline</p>	<p>See annexes.</p>
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Mediation principles - neutrality, voluntary nature, confidentiality, party self-determination, process	Day 1 of the course programme
The roles of legal counsel and representatives	Day 2 Course programme
Overview of negotiation and conflict resolution theory	Day 1 course programme
Mediator ethics, including appropriate local ethical standards	Day 3 course programme
Forms of listening skills and communication strategies	Day 1 course programme and throughout the course
Process management skills, including the use of joint and private meetings	Day 1 and Day 2 course programme and through role play
Negotiation strategies and skills to manage the content of the dispute	Day 2 and 3 course programme
Ways of responding to the diverse behaviours of the parties	Day 2 and 3 Course programme

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.

See annex.

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	40 hours
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Group Size

It is recommended that courses have a maximum class size of 30 students, with the trainer-student 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	18
Maximum trainer to participant ratio	1:7 maximum
Overall approach to class size or trainer-participant ratio	1:5

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	The theory is delivered across Days 1 - 3 of the course, intersperses with practical exercises and mediation role play. The course builds in complexity as the days progress and learning is consolidated through role plays which bring out the training points.
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	<p>The teaching is interactive, dynamic and involves extensive participant engagement.</p> <p>This percentage includes approximately 50% delegate engagement which might also fall into the section below as discussion..</p> <p>25% (12.5% teaching, 12.5% delegate engagement/discussion)</p>
<p>Exercises and discussion</p>	<p>There are two practical exercises on day 1, in addition to the role play.</p> <p>Questions and discussion are actively encouraged during the teaching phase which is dynamic and highly interactive. There is extensive discussion in small groups during the debriefing sessions after each role play. There is also extensive delegate engagement during the delivery of the teaching phase which is included in the teaching phase above.</p> <p>The tutors are always available for discussions during the coffee, tea and lunch breaks and also at the day (and beyond in fact).</p> <p>20% (plus 12.5% delegate engagement from the teaching phase above so 32.5% in real terms)</p>
<p>Role-playing, coaching, and feedback</p>	<p>55%</p> <p>This comprises 2 role plays on Day 1, 4 role plays on days 2-5. Role plays are between 60 and 90 minutes duration.</p> <p>There is coaching and feedback during days 1-3.</p> <p>There is no coaching during the assessment phase and feedback is given individually on the role play assessment.</p>

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.

<p>In what format and how far in advance do participants receive general course materials and confidential role play briefs?</p>	<p>Joining instructions with programme, pre-reading, assessment criteria and key texts are sent out 2 weeks before the course commences. Delegates also receive a Mediation Handbook authored by Judith Kelbie to support their learning. There is homework issued each day which is to be completed overnight. This amounts to approximately 90 minutes per evening which is in addition to the 40 hours of the course.</p>
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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.

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

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
Comment where guidelines are not met	Role plays are supervised 100% of the time both in assessed and non-assessed roles.

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).

<p>How is performance feedback given to participants on your course?</p>	<p>Feedback is provided in the role play groups during non-assessed role plays through an interactive process with the delegate. This is through coaching, intervention and sometimes an additional 121 session. Feedback is also provided on the examination and practical assessment. This is done individually with reference to the exam script and the assessor's marking sheet.</p>
<p>Attach course feedback forms or guidance</p>	<p>See annexes.</p>

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.

<p>Does your course provide an assessment of a participant's competence as a mediator, and if so, how is this process undertaken?</p>	<p>All of the Core Criteria across all 4 areas are required to be demonstrated in order to pass.</p> <p>Higher skills are not required to pass, but are noted and used in debrief.</p> <p>We assess for safety, competence and confidence.</p> <p>A mediator is unsafe if they:</p> <ol style="list-style-type: none"> 1. Breach confidentiality 2. Advise (other than process advice) 3. Fail to transmit offers, delay in doing so, or do so inaccurately
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	<p>4. Are unaware of ethical issues or fail to deal with ethical issues.</p> <p>If any of these occur in the assessed mediation then the assessment is automatically a fail. There is no option to consider passing.</p> <p>A mediator lacks competence they:</p> <ol style="list-style-type: none"> 1. Lack momentum/the ability to move the matter forward. 2. Prevent participants from being autonomous, are inflexible in their approach or are too controlling. 3. Lack sensitivity or impose their own personal views on the matter. 4. Appear to be biased in any way. 5. Are not listening actively. 6. Fail to probe participants and drill down/unpack what a participant is saying. 7. Asks too many closed questions. 8. Has closed body language. <p>If any of these are considered to be present, the factor is discussed by all tutors to consider the context in which the factor(s) occurred and the severity of it(them). The more factors present, and the greater the severity, the less competent the mediator is likely to be.</p> <p>If the context was outside of the mediator's control (such as a role player going off script or introducing irrelevant matters) then the factor will not result in a fail, but there will still be a discussion about what occurred at debrief. If the context was as a consequence of the mediator's actions, then if severe, this will result in a fail. If minor, a viva is given at debrief and subject to self awareness of the issue, the delegate will pass. The assessors use their extensive professional ability to weigh the factors and</p>
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	<p>decide if a factor is sufficient severity to warrant a failure. A guidance document (flow chart) is attached which is provided to tutors, assessors and delegates.</p> <p>Independent assessors assess the delegates against the published assessment criteria. All assessors see each delegate via rotating the assessors between the rooms. Informal oral benchmarking takes place between the assessors after each assessment. Where a candidate has met all of the Core criteria, they are marked as SAFE. Where a candidate has not met one or more of the core criteria, the "missed" criterion are circled on the form. The assessment sheet is marked as UNSAFE? and the formal written benchmarking then takes place. Where core assessment criteria are not met the assessors provide objective criteria to support this by using the reverse of the assessment form to record their observations.</p> <p>Before a candidate is debriefed, the assessors meet again to discuss why the delegate is a fail. The benchmarking form submitted is used only where a candidate is marked as UNSAFE?</p> <p>The assessment criteria describes what is required of the delegates for each element in each category. This information is abbreviated for the assessors on the assessment sheet.</p> <p>Before the assessment phase commences, the assessors provide a briefing to delegates about what the criteria means and what they are looking for. This briefing mirrors feedback provided by the tutors in the debrief sessions that follow non-assessed role plays, where suboptimal are discussed as a group and the tutor can explain why a particular element of the mediator's performance would not meet assessment standards. so the delegates are fully aware of what is required of them. This includes the acts or</p>
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	<p>omissions that would result in a failure to meet the required standards.</p>
<p>Does your course provide an assessment of a participant's knowledge as a mediator, and if so, how?</p>	<p>In addition to the practical assessment set out above, there is a written examination that assesses the delegates theoretical knowledge of mediation. The examination comprises 10 equally weighted questions. Delegates also complete a self-critique during the course to see if they have self-awareness of their strengths and weaknesses. They are also asked to identify the strategies they will adopt to address their weaknesses. This is not a marked part of the course but is intended to get delegates to begin to do a self-critique for each mediation as they begin to practice. To pass the course delegates need to achieve at least 70% in the written exam AND pass their practical role play assessment.</p>
<p>Process of appointing assessors on a course</p>	<p>Assessors are appointed following successful completion of the mediator training plus several years in practice as a mediator. They are then trained to assess the course under the guidance of experienced assessors. The team of assessors always has a highly experienced lead assessor together with trained and experienced assessors. The assessors have a handbook, are fluent in the assessment criteria and complete an assessment sheet for all delegates.</p>
<p>Clarification of passing criteria. How a student passes or fails this CMTP</p>	<p>A delegate needs to pass both the written examination and the practical assessment. There is no weighting between the two. A failure in either the exam or the practical assessment results in a failure of the course. The written</p>

	<p>examination is marked by external moderators against the exam marking guidance. The examiners have a "perfect" script against which to mark. Each question carries one mark. Where a partially correct answer is submitted, the examiner may award half a mark. The pass mark is 7/10. The examiners are fully briefed and trained on marking scripts against the "perfect" script. The abbreviated exam marking guide (attached) gives the mandatory elements to score a mark for each question. The results are sent to the assessors on the day of the individual debriefs with the mark, details of where marks were dropped, and why, and also feedback on the self-critique. Where a delegate does not pass the written examination, they are asked to resubmit a second (different) exam and successful completion results in a pass.</p> <p>Where the delegate falls short in a "major" area the assessors will complete a benchmarking form. This process involves a review of the assessment form and supporting notes, a discussion between the assessors of the reason for failure and the completion of the benchmarking form. If a delegate does not pass their practical assessment, they are advised why this has occurred and what they need to do to be able to pass the course. This is done by taking them through their assessment sheet and giving clear examples of the reason they have not passed. They are then invited back for refresher and re-assessment. There is no cost to the delegate for then refresher and re-assessment.</p> <p>The assessors also consider whether the delegate is confident in the role of mediator. It serves no purpose to pass a delegate who lacks the confidence to go out and use their skills to mediate. If a delegate meets the assessment criteria, but appears to the assessor to lack confidence the assessors give a conditional pass which requires to the</p>
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	<p>delegate coming back to undertake a further days training to boost confidence.</p> <p>If a delegate is a borderline pass in that there is a minor shortfall in either the exam or the practical assessment (and if all of the assessors agree) they may, at their discretion, ask the delegate if they would like to engage in a Viva during their individual debrief. If the assessor is satisfied that the delegate has the requisite level of knowledge in the area of the minor shortcoming, they may pass the delegate. If the Viva reinforces the assessors' view that there is a shortcoming in the delegate's understanding or ability the delegate does not pass.</p> <p>Assessor Guidance on the Options referred to in the Benchmarking form is attached.</p> <p>If the assessors feel that a delegate has not met and is unlikely to meet the required standard for mediator, they are advised that this is the case and not invited to return. This is rare and may occur where there is an inability to engage appropriately in the role or a condition or personality trait that renders them unable to demonstrate the required criteria. This is classified as both unsafe and incompetent. No re-assessment is offered in these circumstances, which are rare.</p>
<p>Next steps taken, should a student fail.</p>	<p>A full debrief is provided with rationale for the decision. Coaching is provided on the areas where improvement is required, with practical examples drawn from the assessment role play. If a delegate is unlikely to ever be able to attain the skills of mediator, they will be advised that this is the case. Where a delegate is likely to be able to make the required improvements, a re-assessment is provided (free of charge) at a later date. Where a delegate</p>

	requires refresher training before re-assessment this is also provided (free of charge).
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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 organisation does to facilitate participants' development as mediators	The faculty of LSM offers the opportunity post course for alumni to observation live mediations, subject of course to the consent of the participants. There is never a charge for the observations. LSM also has a 3 hour recorded demonstration mediation which delegates may observe. LSM provides post course aftercare for alumni. This entails answering questions about delegates experiences when they begin to practice. This may be by email or telephone. LSM does provide a paid for mentoring and supervision role which includes observing alumni in practice as an option. Post course, any delegate may contact the faculty to raise any question about the course content, or the next practice steps.
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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 policy	See annexes.
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Conflicts of Interest

<p>Please outline what steps you take to avoid any potential conflicts of interest between trainer/coaches/assessors and participants on your course.</p>	<p>We always adopt independent assessors so that there is separation between the tutors and the assessment phase of the course. During the coaching phase of the course the tutors are always mindful of situations that may cause conflict and separate the delegates or tutors and delegates to prevent any scope for conflict arising.</p> <p>Conflict of interest is anything that may affect the ability of the TCA to undertake their task neutrally and professionally, such as a clash of personalities or a lack of awareness of equality, diversity and inclusion. A potential conflict exists where the delegate is from the same organisation as the tutor, coach or assessor. A potential conflict also exists between delegates from the same organisation, particularly if there is a power imbalance. The tutors and assessors separate any delegates to whom this applies.</p> <p>We do not have a published policy on conflicts of interest.</p>
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Trainers, Coaches, and Assessors

<p>Anyone seeking to act as a TCA has successfully participated in a mediation training course which meets the requirements set out above.</p>	<p>Yes</p>
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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

<p>Comments and/or explanations</p>	<p>LSM trains the trainers on the job. A potential new trainer (who must have completed the LSM course) is first asked to sit in and observe the course from the trainer's perspective. The trainer is provided with the tutor handbook which covers all course documentation and approach. They will then teach selected parts of the programme as a support tutor until they are confident and competent to cover all parts of the course. Feedback is provided throughout. Assessors are trained in the same way, shadowing an assessor initially, then assessing under supervision before finally moving to assessment on their own. Assessors are directly supported by the Directors and the lead assessor will support and mentor the assessors.</p>
<p>New TCAs are to be observed and given performance feedback by senior colleagues</p>	<p>For the role play coaching prospective tutors will observe an experienced tutor during this phase and then coach/feedback in the presence of experienced tutors. They see a range of tutors and thus a range of styles. When they are deemed confident and competent they will be permitted to coach role plays alone. There are always opportunities to discuss role plays, feedback and delegate performance with the lead tutor.</p>
<p>Explain your peer review system for trainers, coaches and assessors</p>	<p>All TCA have a handbook, receive joining instructions and notes of guidance on a course by course basis. Assessors are provided with handover notes ahead of the assessment phase of the course. TCA have</p>

	<p>open access to the Directors and Lead tutors at all stages and during courses this takes place during coffee/tea and lunch breaks and during a wash up at the end of each day. All coaching and assessment forms are returned to the Directors at the end of each course and delegate feedback is assessed after each course. There is an annual faculty away day which includes critique of the year and plans/requirements for the forthcoming year. This is done off site so that there is also the opportunity for information; interaction in addition to the programmed events. the faculty of TCA all have access at no cost to all the LSM CPD courses for their own refresher and development as mediators. Mentoring and supervision of all TCA takes place on an ongoing basis.</p>
<p>Attach Train-the-Trainer Program</p>	<p>Received by IMI and not publicly published.</p>
<p>Attach template feedback form</p>	<p>See annex.</p>
<p>Attach complaints policy for use should course participants wish to formally complain about a trainer, coach or assessor</p>	<p>See annex.</p>