



# Griffith College

**Coláiste Uí Ghríofa**

**Faculty of Law**

**Certificate in Mediation**

<b>Award Title:</b>	Certificate
<b>Programme Title:</b>	Certificate in Mediation
<b>Date:</b>	May 2019

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## Introduction

This document presents a proposal for the revalidation of a Certificate in Mediation. The document is being submitted to Quality and Qualifications Ireland (QQI) on behalf of Griffith College and its Faculty of Law.

The Certificate in Mediation (CIM) programme was originally validated in 2014 by Quality and Qualifications Ireland. This proposal document reflects the development of the programme to date and the recommendations arising from its most recent programme review. The accreditation characteristics of the programme are as follows:

Award:	Certificate
Award Type:	Special Purpose
Programme Title:	Certificate in Mediation
NFQ <sup>1</sup> Level:	8
ECTS <sup>2</sup> Credits:	20
Validated:	September 2014

The CIM programme comprises three modules totalling 20 ECTS credits and leads to a special purpose certificate award from QQI at level 8 on Ireland's National Framework of Qualifications (NFQ). The programme is also approved by the Mediators Institute of Ireland (The MII). Learners who successfully complete the programme and undertake an MII approved assessment of their mediation skills may apply for member status of the MII.

The programme is delivered on a part-time basis by Griffith College from its constituent campuses and teaching centres. Learners attend eight days of in-person classes on Saturdays spread over a period of approximately 25 weeks. Between classes, learners are supported with a range of online teaching inputs and directed learning resources as they undertake module related assessments. The programme is delivered on both campuses by the same team of practising mediators who are MII approved mediator trainers. Class sizes are intentionally small, allowing for considerable shared in-class participation, discussion and reflection by learners and lecturers alike.

The overall aim of the CIM programme is to provide learners with detailed knowledge and understanding of theories, concepts and current practices relating to mediation so that they can confidently and correctly apply appropriate mediation principles and practices in a range of different situations, either in their own organisation or in another aspect of their personal or professional lives.

The programme equips learners with specific awareness of the impact of conflict behaviour on mediation, from the perspective of the mediator and the parties to the mediation. The programme's teaching and assessment emphasise the necessity of inherent emotional intelligence on the part of the mediator. This is developed through directed discussion, academic reading and structured self-reflection on the area.

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<sup>1</sup> NFQ – Ireland's National Framework of Qualifications

<sup>2</sup> ECTS – European Credit Transfer Scheme – A European wide credit system in higher education

Mediation is not confined to legal dispute resolution, but extends into business, social studies, community affairs, human resources, management and other areas of human interaction where conflict may arise. Learners on the programme develop a range of skills including critical thinking and evaluation, self-management, independent learning, conflict management, communication and active listening. Learners can apply the mediation knowledge, skills and competencies they acquire in practice and to support their further studies.

The CIM programme is designed for mature learners from professional backgrounds including but not limited to human resource professionals, counsellors, social workers and business managers. The programme is open to law and non-law graduates alike, offering graduates the opportunity to pursue careers in dispute resolution. Applicants are required to hold a previous qualification at or above level seven on the NFQ or to have equivalent professional experience.

The recent Mediation Act 2017 aims to promote mediation as a viable, effective and efficient alternative to court proceedings in order to reduce costs, speed up resolutions and relieve the stress involved in going to court. Under the legislation, solicitors are obliged to advise people in dispute to consider mediation. Where court proceedings are launched, parties will be required to confirm to the court they have considered using mediation. This legislative requirement will see the need for qualified professional mediators increase over the coming years.

The programme has been designed and delivered by the college's law Faculty in association with mediation professionals. It prepares graduates for the roles as practising mediators who are able to appreciate and respect the needs, interests, aspirations, emotions, sentiments, frame of mind and mind-set of the parties, while helping them to settle their disputes without going to court.

The CIM programme prepares learners for membership of the MII and for roles as mediators. Many of the learners continue in their employment and use the skills gained during the programme to enhance or extend their current roles in communication, negotiation, drafting, legislative analysis and case analysis. Learners on the programme come from a wide range of backgrounds, for example, prison officers, legal executives, social workers, human resource personnel, engineers and other professions.

Since its launch in 2014, the programme has been consistently well regarded by learners and graduates alike. Griffith College welcomes this opportunity to submit a revised version of the programme for revalidation and delivery to future cohorts.

## 1 Provider Details

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<b>Provider Type</b>	Independent Provider
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## **1.1 Contextual information about the provider and its other programmes**

### **Griffith College**

Griffith College is one of Ireland's largest independent higher education institutions with an annual learner population in excess of 6,000. The college provides a wide range of undergraduate and postgraduate programmes validated by Quality and Qualifications, Ireland (QQI). These programmes lead to recognised awards at levels 6 to 9 on Ireland's National Framework of Qualifications (NFQ).

In the case of disciplines involving separate external recognition, the college's QQI academic programmes are also recognised by bodies such as the Honorable Society of the King's Inns; the Irish Institute of Legal Executives (IILEX); the National Union of Journalists and the Institute of Designers in Ireland.

The college also prepares learners for a wide range of examinations leading to membership of professional bodies. These include the Law Society of Ireland, the Association of Chartered Certified Accountants (ACCA) and the Institute of Certified Public Accountants of Ireland (ICPAI).

Established in 1974, the college's main campus is based in Dublin's South Circular Road on a seven-acre historic site formerly known as Griffith Barracks. Griffith College also has campuses / teaching centres in Wellington Road, Cork, O'Connell Avenue, Limerick and Wolfe Tone Street in Dublin.

The college actively embraces the National Framework of Qualifications (NFQ) as it provides welcome clarity for staff and learners regarding the particular knowledge, skills, and competencies being advanced on each of its programmes. This commitment is evident in the alignment of programme and module learning outcomes to national standards, and in the realisation of learning outcomes through appropriate teaching, learning, and assessment methods.

The college's philosophy is to provide career choice and progression into the professions for its learners. The college is committed to effective programme delivery that is responsive to learner needs, enabling learners to advance their knowledge, skills, and competencies in their chosen career discipline. Programme learning outcomes are intentionally focused on learner-based output quality measures that are relevant to emerging industry needs and opportunities.

### **Faculty of Law**

The Faculty of Law was established in 1995 with its first academic programme leading to a two-year national certificate in law from the National Council for Educational Awards (NCEA). Since then the faculty's staff, programme and related educational activities have grown significantly where it now provides a wide range of programmes leading to academic and professional awards.

The Faculty's current range of academic programmes extend from level six to nine on the NFQ and include:

- Certificate in Mediation
- Certificate in Legal Practice
- Certificate in Legal Studies
- Diploma in Legal Studies and Practice
- LLB (Honours)
- LLM (and Postgraduate Diploma) in International Law (NFQ 9 – ECTS 90)
- LLM (and Postgraduate Diploma) in International Commercial Law
- LLM (and Postgraduate Diploma) in International Human Rights Law

The faculty's professional law school has an excellent reputation in preparing learners for both the Law Society of Ireland Final Examinations Part 1 and Honorable Society of Kings Inns Entrance Examinations. The faculty's LLB (Honours) degree is recognised for entry purposes by the Law Society of Ireland and the Honorable Society of Kings Inns, should learners wish to pursue careers as solicitors or barristers.

The faculty considers that its primary task is to develop its learners' critical capacities, to enhance their communication skills and to develop their academic, technical and practical skills. The faculty prioritises the personal wellbeing of its learners, placing an emphasis on pastoral care and creating a supportive, caring environment in which learners thrive and progress with the assistance of the programme team.

The faculty has a number of active learner-led bodies such as the Law Society, Mooting and Debating Society and Brehon Law Society all of which provide learners with opportunities to develop and enhance their transferrable skill sets. The faculty also houses the Griffith College Innocence Project allowing a number of the faculty's learners to work as case workers on disputed sentences.

Additional information on Griffith College and its Faculty of Law is provided in an accompanying *General Faculty Information* document.

## 1.2 An outline of the programme and identification of the QQI award(s) to which it is designed to lead

### 1.2.1 Principal programme

Title	Award	ISCED code	Duration	If an embedded programme is this an exit award
Certificate in Mediation	Special Purpose Certificate	042	6 months	N/A

Proposed enrolment	First intake (date)	Last intake (date)
	Sept. 2019	Aug 2024

<b>Maximum number of intake groups/cohorts per annum</b>	6 (2 for each of 3 centres)
<b>Will the programme enrol international learners (yes/no)</b>	No
<b>Will the programme accept Erasmus exchange students</b>	No

<b>Proposed first year (i.e. new learner) enrolment over five years</b>					
	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>
<b>Minimum total enrolment into first year</b>	6	6	6	6	6
<b>Maximum total enrolment into first year</b>	48	64	96	96	96

<b>Detail any articulation arrangements involving advanced entry</b>	<b>Maximum number of learners involved</b>	<b>Stage of entry</b>
Not Applicable		

<b>Names of centres where the programmes are to be provided</b>	<b>Maximum enrolment per annum</b>	<b>Minimum enrolment per annum</b>
Griffith College	96	6

<b>Target learner groups</b>	<p>The CIM programme is designed for mature learners from professional backgrounds including but not limited to human resource professionals, counsellors, social workers and business managers. The programme is open to law and non-law graduates alike, offering graduates the opportunity to pursue careers in dispute resolution.</p> <p>Applicants are required to hold a previous qualification at or above level seven on the NFQ and/or to have equivalent professional experience.</p>
<b>Proposed countries for provision</b>	Ireland
<b>Delivery mode: Full-time/part-time</b>	Part-time. Learners attend eight days of in-person classes spread over a period of approximately 25 weeks.
<b>List the teaching and learning modes</b>	<p>The programme is delivered on a part-time basis with learners attending eight days of in-person classes. Between classes, learners are supported with a range of online teaching inputs and directed learning resources as they undertake module related assessments. Class sizes are intentionally small, (up to a maximum of 16) allowing for considerable shared in-class participation, discussion and reflection by learners and lecturers alike.</p> <p>The teaching and learning methods used on the programme include presentations, discussions and analyses of theories and concepts, application of theories to sample cases and practical role plays. The programme's teaching and assessment emphasise the necessity of inherent emotional intelligence on the part of the mediator.</p> <p>Learning is directly advanced through directed discussion, academic reading, structured reflection and critical evaluation on the areas involved on both an individual and group basis. By</p>

	<p>including CDP 360 within the programme as a personal profiling and self-reflection tool, learners get valuable insights into their own current traits as mediators and the potential impact of conflict triggers on themselves and others.</p> <p>Learners are required to create a Reflective Journal of their learning activities and capabilities and to have practical mediation skills assessed by recognised MII mediator trainers.</p> <p>Learners are supported in their learning by the participative nature of the programme and the small group size of the in-person classes. Individual support and formative feedback from the programme team is given to all learners as they progress their assignments to completion.</p>
<p><b>Brief synopsis of the programme (e.g. who it is for, what is it for, what is involved for learners, what it leads to.)</b></p>	<p>The overall aim of the programme is to provide learners with detailed knowledge and understanding of theories, concepts and current practices relating to mediation enabling them to apply appropriate mediation principles and practices in a range of different situations, either in their own organisation or in another aspect of their personal or professional lives.</p> <p>The programme equips learners with specific awareness of the impact of conflict behaviour on mediation, from the perspective of the mediator and the parties to the mediation.</p> <p>Mediation is not confined to legal dispute resolution, but extends into business, social studies, community affairs, human resources, management and other areas of human interaction where conflict may arise. Learners on the programme develop a range of skills including critical thinking and evaluation, self-management, independent learning, conflict management, communication and active listening. Learners can apply the mediation knowledge, skills and competencies they acquire in practice and to support their further studies.</p> <p>The programme has been designed and delivered by the college's law faculty in association with mediation professionals. It prepares graduates for roles as practising mediators who are able to appreciate and respect the needs, interests, aspirations, emotions, sentiments, frame of mind and mind-set of the parties, while helping them to settle their disputes without going to court. The programme has the further objective of clarifying the legal framework surrounding mediation in order that learners may embark upon a career involving the use of mediation, confident of the parameters of the ethical code of practice within which they work.</p> <p>The CIM programme prepares learners for membership of the MII and for roles as mediators. Many of the learners continue in their employment and use the skills gained during the programme to enhance or extend their current roles in communication, negotiation, drafting, legislative analysis and case analysis. Learners on the programme come from a wide range of backgrounds, for example, prison officers, legal executives, social workers, human resource personnel, engineers and other</p>

	professions. Since its launch in 2014, the programme has been consistently well regarded by learners and graduates alike.	
<b>Outline of staffing requirements (the details are provided in the module descriptors)</b>	<b>WTE</b>	<b>Qualifications and experience</b>
	1	<p>Teaching staff are required to hold relevant qualifications at an appropriate level.</p> <p>It is an advantage to have completed the Certificate in Education, Learning and Development provided by Griffith College.</p> <p>The programme is supported by a programme administrator and by other members of the faculty and college (e.g. librarian, quality assurance and enhancement officers, etc.)</p>
<b>Outline the physical resource requirements (the details are provided in the module descriptors)</b>	<p>Classrooms that cater for up to 16 learners in flexible seating arrangements suitable for role-plays, simulations and participative learning.</p> <p>Classrooms suitably equipped with appropriate teaching facilities, projection, internet and capacity for video recording, capturing of learning activities.</p>	
<b>Outline specifications for the ratio of learners to teaching staff</b>	<b>Staff to learner ratio</b>	<b>Learning activity type</b>
	1:16	Lectures / Classes
	2:16	Skills Assessment / Evaluation
<b>Overall WTE staff/learner ration<sup>3</sup></b>	1/16 (per cohort – multiple cohorts would require delivered at the same time would require additional staffing)	

<b>Work placements for which credit is allocated</b>			
<b>Title of the placement</b>	<b>Stage number</b>	<b>Credit (specify units)</b>	<b>Total hours in the workplace</b>
N/A			

<b>Programme(s) being replaced (applicable to applications for revalidation)</b>			
<b>Code</b>	<b>Title</b>	<b>Last Intake date</b>	<b>Estimated Closure date</b>
PG20944	Certificate in Mediation	Sept. 18	Aug. 19

<sup>3</sup> Total WTE academic staff exclusively dedicated to the programme divided by maximum number of learners that can be enrolled

### **1.2.2 Embedded programme**

This programme does not contain an embedded award.

### **1.2.3 Stand-alone module leading to a minor award**

This programme does not have any stand-alone modules leading to minor awards.

## **2 Educational and training objectives and minimum intended programme and module learning outcomes**

### **2.1 Programme aims and objectives**

The overall aim of the Certificate in Mediation (CIM) programme is to provide learners with detailed knowledge and understanding of theories, concepts and current practices relating to mediation so that they can confidently and correctly apply appropriate mediation principles and practices in a range of different situations, either in their own organisation or in another aspect of their personal or professional lives.

The programme equips learners with an awareness of the impact of conflict behaviour on mediation, both from the perspective of the mediator, and also from the parties to the mediation.

The primary objective of the programme is developing the knowledge, skills and competencies of the learners to prepare them for a career as a confident practicing Mediator. The secondary objective is the application of the skills to the learner's current employment, or other intended area of employment.

Mediation is not confined to legal dispute resolution, but extends into business, social studies, community affairs, human resources, management and other areas of human interaction where conflict may arise. Learners on the programme develop a range of skills including critical thinking and evaluation, self-management, independent learning, conflict management, communication and active listening. Learners can apply the mediation knowledge, skills and competencies they acquire in practice and to support their further studies.

The programme has been designed and delivered by the college's law faculty in association with mediation professionals. It prepares graduates for roles as practising mediators who are able to appreciate and respect the needs, interests, aspirations, emotions, sentiments, frame of mind and mind-set of the parties, while helping them to settle their disputes without going to court.

The programme has the further objective of clarifying the legal framework surrounding mediation in order that learners may embark upon a career involving the use of mediation, confident of the parameters of the ethical code of practice within which they work.

The CIM programme prepares learners for membership of the MII and for roles as mediators. Many of the learners continue in their employment and use the skills gained during the programme to enhance or extend their current roles in communication, negotiation, drafting, legislative analysis and case analysis. Learners on the programme come from a wide range of backgrounds, for example, prison officers, legal executives, social workers, human resource personnel, engineers and other professions.

Since its launch in 2014, the programme has been consistently well regarded by learners and graduates alike.

## 2.2 Rationale for the choice of QQI named award stem sought and for the named award title

As the CIM programme contains a total of 20 ECTS credits, it represents a special purpose award. As the number of ECTS credits is less than 60, the award is classified as a certificate.

QQI's Policy and Criteria for Making Awards (Section 3.1.b) states that

*Award names for all higher education and training minor, special purpose and supplemental awards at Framework Levels 7-9 must commence with "CERTIFICATE IN" where the corresponding programme or modules amount to less than 60 HET credits.*

The programme team is satisfied that the award stem of Certificate is appropriate and that the programme's NFQ and ECTS levels can be readily understood by learners and other stakeholders alike.

The programme team is satisfied that the specialisation in mediation is appropriate and is generally well understood by learners and general society. Accordingly, the named award stem and specialisation for the CIM programme are shown in the table below.

Named Award Stem	Specialisation
Certificate	Mediation

## 2.3 QQI awards standards used

As there are no specific awards standards for mediation, the programme team used QQI's generic awards standard to determine and benchmark the programme's learning outcomes and related assessments against national higher education standards.

## 2.4 Minimum intended programme learning outcomes

The programme is designed to enable learners to achieve specific minimum intended programme learning outcomes (MIPLOs). On successful completion of the programme learners are able to:

- (i) demonstrate an understanding of theories, concepts and current awareness pertaining to the field of mediation
- (ii) demonstrate understanding of current legislation, principles and ethical best practice in relation to mediation
- (iii) demonstrate detailed knowledge, understanding and skills in the field of mediation, including the impact of interpersonal conflict on same
- (iv) demonstrate mastery of a complex and specialised area of skills and tools in mediation; use and modify advanced skills and tools to conduct closely guided research, professional or advanced technical activity in conflict resolution
- (v) exercise appropriate judgment at detecting and managing problem content in mediation and adapt accordingly, utilising appropriate techniques in order to manage a given mediation session optimally
- (vi) exercise appropriate judgment in applying mediation techniques creatively and effectively to a range of mediation scenarios

- (vii) effectively perform the skills and behaviours of a mediator while upholding the efficacy of the mediation process
- (viii) evaluate their own performance as a mediator in a constructive way that will continually inform their practice
- (ix) express a comprehensive, internalised, personal world view manifesting solidarity with others in the area of conflict resolution and mediation.

## 2.5 Minimum intended module and (where applicable) stage learning outcomes

Minimum intended module learning outcomes (MIMLOs) are specified for each of the programme's three constituent modules. These are presented as part of the module descriptions provided in Section 6 below.

The modules' constituent MIMLOs serve to deliver the programme's overall MIPLOs. A mapping of programme MIPLOs to their underpinning modules is given in Appendix 1 of this document.

## 2.6 Mapping the MIPLOs against the QQI awards standards and demonstrating consistency

A mapping of the programme's MIPLOs against QQI's Generic Awards Standards for NFQ level 8 awards is given in Appendix 2.

## 2.7 Comparing the MIPLOs with those of comparable programmes

The programme team considered the following related mediation programmes offered by Irish higher education and professional institutions.

Institution	Comparable Programmes
Maynooth University	Postgraduate Certificate in Mediation and Conflict Intervention
The Law Society of Ireland	Diploma in Mediation
Hibernian Training College	Certificate in Mediation
Institute of Public Administration	Certified Mediation Training Programme
Technological University, Dublin	Higher Certificate Diploma in Mediation

While all of the above programmes share a common primary focus on mediation, they differ considerably in the level, duration and extent of learner effort required. Programmes also differ in respect of the particular target learner profiles they serve and the resultant graduate attributes they seek to advance.

The postgraduate certificate in mediation and conflict intervention delivered by Maynooth University is a constituent part of the university's related masters programme in mediation and conflict intervention. The programme is run in conjunction with the university's Edward M Kennedy Institute for conflict intervention attracting and preparing learners who wish to apply their mediation skills to situations of national and international significance. As an NFQ level 9 programme within a masters programme, the programme places related expectations and requirements on learners, with applicants required to hold honours degree level qualifications. Graduates can register with Mediators Institute of Ireland (MII).

The Law Society of Ireland's Diploma in Mediator Training provides an appreciation of the theoretical foundations of the mediation process and equips learners with the necessary skills to successfully mediate disputes in a number of settings. Delivered by the law society, the programme team brings a strong legal focus and orientation to its presentation and case consideration. Graduates can register with Mediators Institute of Ireland (MII). The programme does not lead to an award on the NFQ.

Hibernia College offer a Certificate in Mediation which is MII accredited and designed for learners who wish to become accredited mediators. The programme is designed to give learners the skills, knowledge, understanding, and confidence to practice as a mediator, with the opportunity to conduct mock mediations, participate in group discussions, and learn all aspects of the mediation process. A similar programme offering is provided by the Institute of Public Administration. Neither programme leads to a specified award on the NFQ.

The Higher Certificate Diploma programme offered by TU Dublin presents an organisational context for mediation interventions. It is similar in volume to that of other programmes, consisting of 20 ECTS, and designed to accommodate learners at NFQ level 6. Like other programmes at NFQ levels 6 and 7, the programme focuses on the development of the learners' basic mediation skills and does not require or advance the depth of theoretical underpinning and detailed knowledge of legal parameters provided in programmes with higher NFQ levels.

Viewed collectively, the above programmes show the considerable variation in mediation programmes available in respect of their particular focus, target learner profile, and level and volume of NFQ / ECTS accreditation where it applies.

The college recognises the diversity of learner interests and the different requirements addressed by each of the existing programmes. It is also satisfied that the college's Certificate in Mediation (CIM) programme, while sharing many similarities with the above programmes, is sufficiently distinct to present an equally worthwhile offering for interested learners.

## **2.8 Mapping the MIMLOs against the QQI awards standards**

Minimum intended module learning outcomes (MIMLOs) represent the detailed implementation of the programme's overall minimum intended learning outcomes (MIPLOs). The programme team has constructively aligned the modules' teaching, learning and assessments to meet the modules' MIMLOs and the programme's related MIPLOs.

Within the module descriptors, the constituent MIMLOs and their associated teaching, learning and assessment strategies are mapped to the related programme level MIPLO they serve to advance. An overall mapping of programme level MIPLOs to the underpinning modules is given in Appendix 1. A mapping of MIPLOs to the QQI award standards is given in Appendix 2. Taken together, the mappings in the module descriptors and the two appendices provide an integrated link from individual module learning outcomes, through teaching, assessment and learning strategies, to programme MIPLOs and QQI award standards.

## **2.9 Other matters**

None

### **3 Programme concept, implementation strategy, and its interpretation of QQI awards standards**

#### **3.1 Rationale for providing the programme**

The overall aim of the CIM programme is to provide learners with detailed knowledge and understanding of theories, concepts and current practices relating to mediation so that they can confidently and correctly apply appropriate mediation principles and practices in a range of different situations, either in their own organisation or in another aspect of their personal or professional lives.

The programme equips learners with specific awareness of the impact of conflict behaviour on mediation, from the perspective of the mediator and the parties to the mediation. The programme's teaching and assessment emphasise the necessity of inherent emotional intelligence on the part of the mediator. This is developed through directed discussion, academic reading and structured self-reflection on the area.

Mediation is not confined to legal dispute resolution, but extends into business, social studies, community affairs, human resources, management and other areas of human interaction where conflict may arise. Learners on the programme develop a range of skills including critical thinking and evaluation, self-management, independent learning, conflict management, communication and active listening. Learners can apply the mediation knowledge, skills and competencies they acquire in practice and to support their further studies.

The recent Mediation Act 2017 aims to promote mediation as a viable, effective and efficient alternative to court proceedings in order to reduce costs, speed up resolutions and relieve the stress involved in going to court. Under the legislation, solicitors are obliged to advise people in dispute to consider mediation. Where court proceedings are launched, parties will be required to confirm to the court they have considered using mediation. This legislative requirement will see the need for qualified professional mediators increase over the coming years.

Since its launch in 2014, the programme has been consistently well regarded by learners and graduates alike. Griffith College welcomes this opportunity to submit a revised version of the programme for revalidation and delivery to future cohorts.

#### **3.2 Profile of learners that would be enrolled (target learners)**

The CIM programme is designed for mature learners from professional backgrounds including but not limited to human resource professionals, counsellors, social workers and business managers. The programme is open to law and non-law graduates alike, offering graduates the opportunity to pursue careers in dispute resolution. Applicants are required to hold a previous qualification at or above level seven on the NFQ or to have equivalent professional experience.

### **3.3 Education and training needs met by the programme**

The programme has been designed and delivered by the college's Law Faculty in association with mediation professionals. It prepares graduates for the roles as practising mediators who are able to appreciate and respect the needs, interests, aspirations, emotions, sentiments, frame of mind and mind-set of the parties, while helping them to settle their disputes without going to court.

The CIM programme prepares learners for membership of the MII and for roles as mediators. Many of the learners continue in their employment and use the skills gained during the programme to enhance or extend their current roles in communication, negotiation, drafting, legislative analysis and case analysis. Learners on the programme come from a wide range of backgrounds, for example, prison officers, legal executives, social workers, human resource personnel, engineers and other professions.

### **3.4 Alignment of the programme with the professional/occupational profile if the programme is a professional one**

Mediators who have satisfactorily completed a Mediators Institute of Ireland (MII) approved or equivalent training programme and successfully undertaken an MII approved assessment of their mediation skills may apply for member status of the MII.

### **3.5 How the programme and its intended programme learning outcomes were conceived, researched and developed**

The programme and its intended programme learning outcomes were created following analysis of the performance of learners over the last five years of delivery on the college's earlier certificate in mediation programme. The programme's proposed learning outcomes were also informed by stakeholder feedback from current learners, graduates, lecturers, and employers. Meetings were also held with mediator trainers and assessors, solicitors, barristers and human resource consultants. Focus group and one-to-one interviews were conducted with graduates and current learners and input from lecturing staff was gathered and considered. All lecturing staff on the CIM programme are MII approved mediators.

Research was carried out by examining comparable programmes, consulting with industry stakeholders and with current learners and graduates of the college's original certificate in mediation. New revised MIPLOs for the CIM programme were created based upon the findings of the review, reflecting the recommendations of mediation professionals, learners, graduates, lecturers and employers.

The programme team was also assisted by the college's Teaching and Learning Faculty in refining the set of programme learning outcomes. This advice focused on the mapping of programme learning outcomes to the NFQ, and the constructive alignment of teaching, learning, and assessment strategies to the related learning outcomes.

### **3.6 Interpretation of the awards standards and research supporting the programme's aims, objectives and the MIPLOs**

The college's mapping of MIPLOs to the QQI Generic Awards standards is detailed in Appendix 2. These address the distinctive Level 8 nature of the programme and the knowledge, skills, and competences required of graduates of the Special Purpose Certificate in Mediation.

### **3.7 Involvement of employers and practitioners in the design of a vocationally oriented programme: process and outcomes**

In reviewing the programme, the faculty engaged directly with industry and stakeholders. As outlined in section 2.7 above, the proposed programme is comparable to other related programmes provided nationally.

### **3.8 Evidence of support for the introduction of the programme**

The faculty is satisfied that there is sufficient demand for the programme to warrant its delivery twice annually across the college's campuses in Dublin, Cork and Limerick. Financial planning has been conducted by the college to assess its commercial viability, and the faculty is satisfied that the programme can be delivered professionally and successfully. Engagement with stakeholders, both internal and external, indicates strong support for the programme's consideration.

Learner demand has to-date varied from year to year, however, from applicant feedback this relates in some extent to problematic scheduling in the programme timetable, which has been rectified.

### **3.9 Comparison with other programmes (of other providers)**

Specific evidence of support for the continuation of the programme comes from analysis of comparable programmes, an analysis of the programme's context, and application data provided in the programme review report. Evaluation of the programme against comparable programmes underlines that the Certificate in Mediation is unique in Ireland in terms of its NFQ level, which the faculty has learned is a strong pull factor. Analysis of the industry context strongly suggests that mediation skills will be in greater demand in the coming years, in particular as a consequence of the Mediation Act 2017. This is supported in turn by a significant increase in applicants to the programme since it was first offered. Demand for the programme has been consistently several times greater than the available number of places.

### **3.10 Evidence of learner demand for the programme**

Consistent demand has been in evidence over the time that the programme has been running and stakeholder feedback, and feedback from the college's marketing team is that there remains an identified learner demand for the programme.

A number of factors attract learners to the programme, including the fact that it is the only QQI accredited programme specialising in mediation theory and practice outside of the greater Dublin area. Other factors include the fact that it relates to a dispute resolution process and is being delivered by an established Faculty of Law. The learner enjoys the benefits and support of same; professional experienced and respected Mediators deliver the modules, including facilitators with 25 years' experience in the development, design, evaluation and delivery of training programmes; learners enjoy the flexibility afforded by the blended learning approach of the programme.

### 3.11 Evidence of employment opportunities for graduates

There is considerable and increasing evidence of employment opportunities for graduates of the CIM programme.

While graduates of the programme can register as mediators most complete the programme to advance their careers in their current role or to provide them with additional skills for application within their existing organisation.

Firstly, there is the increased employability of the graduate in any workplace. The skills acquired on the programme help the graduate become a more effective communicator and resource in any workplace. Mediation skills are much sought after by human resource departments. Most graduates of the programme will choose, at least initially, to advance their mediation practice by using it in their current role or in another role within their existing employment.

Secondly, graduates of the CIM programme can become certified mediators by undertaking an MII approved assessment of their mediation skills. This allows them to practice on either a part-time or full-time basis as their mediation career develops. Having a QQI qualification enables graduates to distinguish themselves in the marketplace from graduates of programmes that are not NFQ recognised. This distinction is significant given the requirement in the Mediation Act 2017 for the qualifications of mediators to be provided to clients in advance of any mediation.

The use of mediation is increasingly becoming established in Ireland. Associations such as the Family Mediation Service, the Equality Tribunal, the Financial Ombudsman and the Private Residential Tenancy Board are among a growing list of organisations that employ mediators. As the Mediation Act legislation encourages the directing of disputes towards mediation, the mediation sector will continue to grow.

### 3.12 Planned intake

The proposed enrolment per cohort was outlined in section 1.2.1 above as shown in the following table.

Proposed Enrolment over Five Years					
	Year 1	Year 2	Year 3	Year 4	Year 5
Minimum	6	6	6	6	6
Maximum	12	12	16	16	16

In the event of their being sufficient demand to offer the programme twice per year in each of the college's constituent campuses in Dublin, Cork and Limerick, the maximum learner intake in a given year would be 96. However, in all cases, the decision to offer a programme would be based on the educational and financial viability of the particular cohort (e.g. semester and location) being considered.

### 3.13 Five-year plan for the proposed programme

The college is satisfied that there is sufficient demand for the programme to warrant its continued delivery. It believes that the recommended changes arising from the recent programme review, for example the inclusion of CDP 360 in the programme and the use of a Saturday delivery schedule will serve to increase its appeal.

The faculty will continue to engage with the college and the programme team to ensure that teaching and learning strategies are fully deployed and resourced through investment in facilities, IT infrastructure and the resource requirements are continually reviewed as learner numbers grow.

The programme has been financially viable to date, and the college is satisfied that it can remain so. A commitment to the ongoing resourcing of the programme to meet learner and employer expectations is also factored into the five-year plan.

The following table shows projected figures over the next five years based on estimates of intakes and costs per cohort.

	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Stage 1 intake</b>	12	12	16	16	16
<b>Programme Fee</b>	€2,850	€2,850	€2,950	€2,950	€3,000
<b>Income</b>	€34,200	€34,200	€47,200	€47,200	€48,000
<b>Teaching Costs</b>	€9,500	€9,500	€9,500	€9,500	€9,500
<b>Other Costs</b>	€11,520	€11,520	€11,520	€11,520	€11,520
<b>Overheads</b>	€8,610	€8,610	€8,610	€8,610	€8,610
<b>Total Costs</b>	€29,630	€29,630	€29,630	€29,630	€29,630
<b>Contribution to the college</b>	€4,570	€4,570	€17,570	€17,570	€18,370

### 3.14 Other matters

None

## **4 Access, transfer and progression procedures, criteria and arrangements for the programme**

### **4.1 Information to be made available to learners about the programme**

The college provides summary information to learners about all its programmes as part of its marketing activities. It also provides detailed information to prospective learners as part of their admissions and induction processes. The college's programme information policy is set out in QAE C1 in the college's quality assurance and enhancement (QAE) policies and procedures.

This states that in any summary marketing medium used by the college, at least the following information shall be made available to prospective learners:

- The name of the awarding body and its recognition internationally
- The status of validation, i.e. validated, subject to validation
- The NFQ framework level designation of the programme
- The full programme title and any variations of the title which may be open to the learner

It also states that in any detailed communication medium the college uses to describe its programmes the following additional information shall be made available to prospective learners:

- Details of any interim awards associated with the programme
- Details of any recognition by professional / regulatory bodies
- The duration of the programme and the learning modes offered
- Maximum / minimum time periods permitted for completion
- Entry requirements and assessment procedures for entry
- Transfer and progression routes into and from the programme
- The credit associated with the programme
- The English language level required for entry
- Documentation required from international learners
- Bonding arrangements associated with the programme

As part of the induction of learners to the CIM programme, learners are introduced to the programme and faculty team and provided with programme information including their timetable, assessment grid, module information, information about their programme team. This is provided in written format and/or online in a programme handbook. A copy of the learner's programme handbook for the CIM programme is provided in an accompanying document.

## **4.2 Entry procedures and criteria for the programme including procedures recognition of prior learning**

### **4.2.1 Entry procedures**

All applications to the college's programmes are managed by the college's admissions department and the associated faculty in line with the college's quality assurance and enhancement procedures ([www.griffith.ie/qae](http://www.griffith.ie/qae)) previously agreed with QQI.

The college accepts all qualifying applicants who meet the academic entry requirements stipulated for the CIM programme, subject to the numbers of learners being within the approved minimum and maximum numbers for the particular learner cohort.

### **4.2.2 Minimum requirements for general learning**

The CIM programme is designed for mature learners from professional backgrounds including but not limited to human resource professionals, counsellors, social workers and business managers. The programme is open to law and non-law graduates alike, offering graduates the opportunity to pursue careers in dispute resolution.

Applicants are required to hold a previous qualification at or above level seven on the NFQ and/or to have equivalent professional experience.

### **4.2.3 Minimum requirements for discipline-specific learning**

There are no discipline-specific learning requirements.

### **4.2.4 Minimum experiential requirements (if applicable)**

There are no experiential requirements for entry to the programme.

### **4.2.5 Minimum language proficiency requirements**

All learners are required to be proficient in English. Where a candidate's mother tongue is not English, he or she is required to provide proof of proficiency in the English language through satisfactory performance on an internationally recognised test.

The English language entry requirements for the programme are CEF B2+ or equivalent. Candidates with English language levels below CEF B2 must first reach this minimum standard before enrolling on their academic programme.

### **4.2.6 Minimum mathematical proficiency requirements**

There are no mathematical proficiency requirements required for entry to the programme.

### **4.2.7 Minimum criteria for passing the access interview (if applicable)**

There is no interview required for access to the programme.

### **4.2.8 Detail any other criteria for selecting learners**

There are no additional criteria for selecting learners to the programme.

### **4.2.9 Programme-specific RPL criteria, and arrangements for entry, exemptions from modules, advanced entry and direct access to the award**

Mature applicants who do not hold an NFQ level 7 qualification but who have equivalent qualifications and/or relevant experience may apply for entry to the CIM programme on the

basis of their accredited prior earning (APEL) or accredited prior experiential learning (APEL). These applications are considered by the college's APL / APEL committee in accordance with its QQI approved QAE procedures.

All three modules on the CIM programme are mandatory and contribute to the overall programme award. Exemptions are not granted in respect of individual modules and there is not provision for advanced entry. There are no linked or related programmes allowing learners to access, transfer or progress onto the CIM programme with advanced entry.

<b>Summary of RPL criteria for advanced entry or access to the award (cite supporting documentation)</b>	
<b>Award</b>	Not Applicable

<b>List of specific arrangements for transfer from other programme (inward) to the proposed programme</b>		
	<b>Programme name, Provider</b>	<b>Details</b>
<b>Award</b>	Not Applicable	

<b>List of specific arrangements for progression (inward) to the proposed programme</b>		
	<b>Programme name, Provider</b>	<b>Details</b>
<b>Award</b>	Not Applicable	

### **4.3 Programme-specific transfer (outward) procedures and criteria**

There are no specific arrangements in place enabling graduates of the CIM programme to access, transfer or progress onto related programmes with advanced entry.

<b>List of Specific Arrangements for transfer from other programmes (outward) from the proposed programme</b>		
	<b>Programme Name, Provider</b>	<b>Details</b>
<b>Award Stage</b>	No specific arrangements for outward transfer are in place	n/a

#### 4.4 Identified transfer and progression destinations

Progression destinations	
Programme name, Provider	Details
Postgraduate Certificate in Mediation and Conflict Intervention Maynooth University	Graduates of the CIM programme may progress to complementary programmes of study at NFQ level 9 focusing on specific areas of mediation, for example modules in Family Mediation, Organisational and Workplace Mediation, Commercial Mediation, Peace Process Studies, Restorative Practice, Conflict Resolution in Education and Restorative Practice in Schools provided by Maynooth University.
Transfer destinations	
Programme name, Provider	Details
Not Applicable	

#### 4.5 Professional accreditation of the programme

The CIM programme is approved by the Mediators Institute of Ireland.

#### 4.6 Detail the credit system used for the programme

Griffith College uses the European Credit Transfer System (ECTS) whereby “*ECTS credits express the volume of learning based on the defined learning outcomes and their associated workload.*” (ECTS Users Guide. P10). The ECTS credits provide benchmarking of the College’s programmes against other programmes, ensuring consistency, and facilitating access, transfer, and progression for learners.

In deciding the credits for the programme modules, the programme team assessed the workload involved in achieving the defined learning outcomes. “*It should be recognised that this represents the typical workload and that for individual learners the actual time to achieve the learning outcomes will vary.*” (ECTS User Guide, P10). The progress of each learner cohort is continuously monitored by the programme team (e.g. programme director, lecturers, programme administrator, learner representative) enabling gaps or weaknesses to be addressed by providing additional tuition, handouts, or online support materials as required.

The programme uses the general estimate of 25 hours per ECTS credit. This is divided in terms of direct contact, lectures and tutorials, and learner effort in independent learning, study, and research, and work on assignments. The allocation of hours within each module varies according to the nature of the content, teaching, learning and assessment involved. These allocations are reflected in the constituent module descriptors in Section 6 and in the proposed programme schedule shown in Section 10.

#### 4.7 Other matters

None.

## 5 Written curriculum

### 5.1 Outline of the curriculum

#### 5.1.1 Stage level outline

The Certificate in Mediation (CIM) programme consists of a single stage comprising three modules totalling 20 ECTS. The three modules; Mediation and Conflict Resolution; Mediation Ethics and Regulatory Framework and Mediation in Practice allow learners to acquire core skills required in the field of mediation.

The stage level outline is equivalent to the programme level outline and represents the entirety of the programme. Accordingly, a separate stage level analysis is not appropriate.

#### 5.1.2 Rules for electives and their rationale

The CIM programme does not contain elective modules. All three modules are mandatory.

#### 5.1.3 Module-level outline

The programme's constituent modules are listed below, indicating their ECTS credit volumes, along with a brief synopsis of the contribution they make to the learners' overall development.

Module title	Module synopsis
<b>Mediation and Conflict Resolution (5 ECTS)</b>	<p>This Mediation and Conflict module familiarises learners with the fundamental mediation theories and concepts. It provides knowledge of the principles of mediation and the mediation process. Its role is to provide a basis on which the learner can build and apply mediation theories and practices in simulated and real settings.</p> <p>This module also aims to give learners an awareness of the impact of conflict behaviour on mediation, both from the perspective of the mediator themselves, and also from the parties to the mediation and emphasises the necessity of inherent emotional intelligence on the part of the mediator in this regard. It seeks to achieve this by introducing learners to both academic reading and self-reflection on the area.</p> <p>The module further aims to enable learners gain an in-depth understanding of the theories, concepts and methods underlying the development and use of conflict management skills and to acquire the skills of competent conflict management of parties undergoing mediation.</p>
<b>Mediation Ethics and Regulatory Framework (5 ECTS)</b>	<p>The Mediation Ethics and Regulatory Framework module gives learners a clear understanding of the legal and ethical landscape within which mediation is practised so that learners may embark upon a career in mediation, confident of the parameters within which they work. The objective is to provide focussed knowledge of the legislation relevant to the area of mediation in Ireland, and where to find this information.</p> <p>Learners extend their knowledge of the principles of mediation as well as becoming absorbed into the comparatively narrow legislative scheme within which the</p>

	<p>individual mediator and the mediation industry generally operates. This module develops learners' understanding of ethical considerations in the field of mediation and cultivates their ability to evaluate the ethical code of practice of one organisation of mediators vis-à-vis another. It allows learners to apply knowledge and skills and exercise professional judgment in identifying an appropriate forum for disputing parties.</p>
<p><b>Mediation in Practice (10 ECTS)</b></p>	<p>The primary purpose of the Mediation in Practice module is to prepare the learner to respond to a request for mediation, for activating the mediation procedure and for practising as a mediator in order to bring the dispute to an agreed conclusion. The module enables learners to gain knowledge and to be able to demonstrate the core competencies necessary for mediating a dispute and to be able to transfer this knowledge to practice.</p> <p>The module further seeks to enable learners gain an in-depth understanding of the concepts and methods underlying the development and use of mediation and to actualise their ability to implement the skills to practice. The aim is to ensure that learners are confident, highly effective and self-reflective mediators. Finally, the module enables learners to understand and to deal effectively and appropriately with issues and difficulties that may arise during mediation.</p>

Further details of the constituent modules' learning outcomes, syllabi, teaching, learning and assessment methods and related information is provided in Section 6.

## 5.2 Rationale for the curriculum structure

This programme covers the essential knowledge and skills which, are required to develop learners' understanding of the mediation process and their ability to mediate. The mediation and conflict resolution module familiarises learners with the fundamental principles of mediation. The mediation ethics and regulatory framework module gives learners a clear understanding of the legal and ethical landscape within which mediation is practised, while the mediation in practice module prepares learners to respond to a request for mediation. This format provides an incremental approach which develops the learners' knowledge and understanding of mediation and ability to mediate.

## 5.3 Rationale for the programme's duration, credit allocation

The programme's duration and its 20 ECTS credit volume allocation are in line with other comparable programmes on the NFQ, for example the Higher Certificate Diploma in Mediation offered at NFQ level 6 by TU Dublin and the Postgraduate Certificate in Mediation and Conflict Intervention offered at NFQ level 9 by Maynooth University. The module content and credit allocation allow learners to meet the requirement of 25 effort hours per ECTS credit.

The programme is divided into three modules which collectively cover all of the relevant aspects of mediation training. The first two modules (mediation and conflict resolution, and mediation ethics and regulatory framework are each allocated 5 ECTS.) The third module – mediation in practice is afforded 10 ECTS given its particular relevance, practical nature and its integrative role in programme related assessment.

## 5.4 Indicative timetable and its rationale

The programme is delivered on a part-time basis by Griffith College from its constituent campuses and teaching centres. Learners attend eight days of in-person classes on Saturdays spread over a period of approximately 25 weeks. Between classes, learners are supported with a range of online teaching inputs and directed learning resources as they undertake module related assessments. Class cohort sizes are intentionally small, allowing for considerable shared in-class participation, discussion and reflection by learners and lecturers alike.

Details of the allocation of learner effort between direct contact hours and independent learning effort are given in the proposed programme schedule shown below in section 10. Further details are provided in respect of each module in the module descriptors in section 6. An indicative timetable for the delivery of the programme is shown below.

### Indicative Timetable

Module	Day	Week	Schedule
Mediation and Conflict Resolution	Saturday	1	9.30–13:00 / 14:00–17:30
Mediation and Conflict Resolution (including CDP 360)	Saturday	4	9.30–13:00 / 14:00–17:30
Mediation Ethics and Regulatory Framework	Saturday	7	9.00–13:00 / 14:00–18:00
Mediation Ethics and Regulatory Framework	Saturday	10	9.30–13:00 / 14:00–17:30
Mediation in Practice	Saturday	13	9.30–13:00 / 14:00–17:30
Mediation in Practice	Saturday	16	9.30–13:00 / 14:00–17:30
Mediation in Practice	Saturday	19	9.30–13:00 / 14:00–17:30
Mediation in Practice ( <i>Role Play assessment</i> )	Saturday	22	9.30–13:00 / 14:00–17:30
Submission of Reflective Journal	Saturday	25	9.30–13:00 / 14:00–17:30

## 5.5 Integrated learning opportunities and assessment in light of the MIPLOs

The programme is designed to facilitate the integration of learning from all three modules. Each module of the programme advances the learners' mediation knowledge, skills and competence, for example in respect of key concepts and theories, critical listening, self-reflection, and practical application. These skills are complemented by modules focusing on mediation and the law, and the related ethical codes of mediation.

The integrative nature of the learning is specifically advanced through the separately linked Reflective Journal assessments included as part of each module assessment and through the cumulative Reflective Journal completed by learners in respect of their overall experience of their development throughout the programme as a whole.

Within each module, learners are required to complete assessments which require them to take personal responsibility for the completion of their work to a professional standard. Details of the assessment strategies used are presented in the module descriptors in section 6.

## **5.6 Programme teaching and learning (including formative assessment) strategy**

The programme incorporates a broad depth and breadth of teaching and learning strategies which includes interactive workshops, role play experiences throughout the programme, review and analysis of different mediation agreements, in class discussions and online forums.

The teaching and learning strategy for the CIM programme is learner-centred. This requires open dialogue and feedback between learners, lecturers and the programme director. Lecturers encourage questioning and discussion during lectures and tutorials. Role play sessions allow learners to evaluate and apply concepts and practices introduced in lectures.

Programme delivery is structured around lectures, analysis of mediation cases, assignments and many opportunities for role-plays. Practical action-based learning coupled with focused assessment is used throughout the programme. This encourages and facilitates learner participation, reflection, self-directed learning and self-management.

Programme teaching and learning includes the integration of e-learning and blended technologies to support its learners. These resources serve as a valuable guide and reference for learners.

The teaching and learning methods for each module are outlined in the individual module descriptors and utilise the following:

- formal and participative lectures
- tutorials
- group work
- practical work, including formative assessments
- expert guest visits and lectures.

Coursework is assessed through the submission of assignments, role-play and reflective journals. Formative feedback is provided through group work and tutorials, along with individual written and verbal feedback in respect of the work produced.

## **5.7 Integration, organisation and oversight of work-based learning**

There is no formal work placement aspect to the programme as most learners on the programme are already in full-time employment.

For learners seeking employment or a change in employment, the college operates a whole range of supports and services to assist, encourage and mentor learners through personal development and career assistance. The college has a dedicated Careers Office and learners are encouraged to forward their CVs and cover letters for full review, analysis and commentary. All learners are encouraged to arrange a one-to-one meeting with the careers office in order to discuss not only their academic and career progression but also the steps which they need to take in order to build a CV which allows learners to compete on the job market.

## 5.8 Programme Learning Environment

Regardless of whether the learning environment is face-to-face; blended; or a hybrid of both; the module lecturers are required to create a learning environment that stimulates, motivates and enables learners to progress in an interactive and pedagogically robust manner. Module lecturers are tasked with this responsibility irrespective of the mode of learning. The faculty also gives considerable attention to the use of discussion forums for peer and collaborative, formative feedback.

Additional software applications are incorporated into the learning environment when appropriate, for example the use of Zoom videoconferencing software, the Microsoft Office suite (Office 365), as well as Camtasia and Ubcast (lecture capture software). Ubcast is used to record the learner role-plays, which learners later review as part of the assessment process. There are also recorded teaching materials hosted online for learners.

The tools and best practice used in the creation of an engaging and interactive learning environment are constantly under review and informed by cutting edge practice across the educational and professional sectors. The college and its law faculty are fortunate to have a dedicated full-time team of learning technologists actively engaged in ongoing testing and deployment of learning supports as they become available ensuring the programme remains current and fit-for-purpose.

The college provides supports for learners both within and outside the faculty. Faculty based supports include close contact with lecturers, programme administrators, programme directors and head of faculty. All faculty members operate open door policies with respect to learners.

Outside the faculty, learners are supported by various groups. The college is particularly aware of the need for academic support of learners at all stages of their development within their programme and in the college as a whole. Applicants with particular learning needs, or disabilities, are advised to notify the college in advance of their enrolment to ensure that their individual needs can be suitably accommodated. Where these needs can be accommodated, the nature and extent of the individualised supports are documented and agreed. The range of academic learner support services is indicated in the college's Quality Assurance and Enhancement Policy on Academic Learner Support (QAE D5).

Leisure and social facilities are also considered important. The college provides a fitness room, restaurant, and café for the use of all learners. The college is also mindful of the need for pastoral support of learners. Included in its non-academic support is the provision of a free and confidential counselling service for learners. The college also encourages learners to integrate into the general college community and advises them appropriately on events within the college, including students' union activities and societies.

## 5.9 Programme-specific arrangements for monitoring progress and guiding, informing and caring for learners

The CIM programme is run in accordance with the college's QAE manual ([www.griffith.ie/qae](http://www.griffith.ie/qae)). This details the policies and procedures for information provision, programme monitoring, and student welfare and support. The college's Learner Code of Conduct and Learner Charter, QA J1 and QA J3, are prominently displayed in the college in poster form.

The programme and its learner facilities are formally assessed each by each learner cohort during the delivery of the programme. This allows the programme director to assess learner satisfaction and address learners' concerns in a timely manner.

In addition to programme and faculty handbooks, a college Learner Handbook is also supplied and updated annually. It is designed to provide college level information and is made available in print and online. The following are some of the headings showing the issues dealt with in that document.

- Registration
- Key people to know
- Student fees
- International Office
- Website / Email
- Attendance
- Appeals
- Alumni
- Learner cards
- Learner services
- Local doctor
- Library
- Students' Union
- Assessment and Exams
- Health and Safety
- Academic Calendar
- Campus map
- Careers office
- Counselling services
- My GCD Intranet
- Student feedback
- Interpreting results
- Graduation

Within the faculty, communication lines are expressly detailed to the learners at induction. For any administrative / registration issue the programme administrator is contactable by phone or email, or by calling to the faculty office. For module enquiries, each lecturer has a one-hour timetabled slot weekly to meet with learners on a one-to-one basis.

Each cohort of learners also elects at least one, and on occasion two, class representatives who meet regularly with the Programme Director for that cohort of learner. The programme director meets formally with the Class Rep(s) on a number of occasions during the semester. As a lecturer on the programme, however, the programme director receives constant feedback and meetings can happen as necessary.

Programme Committee meetings take place once a semester and the class representatives are invited to attend. At the end of each delivery of the programme, each lecturer is asked to complete a Module Report, QA GA4. This seeks feedback from the lecturer on the module and recommendations for improvement, if any, for future delivery.

Attendance will be taken at all lectures and learners who are absent for reasons outside of their control will be facilitated either on another campus, or through live/online mentorship which will replicate the elements of engagement, involvement and reflection, which constitute the delivered experience. Should learners not engage with the alternate arrangements put in place they will be required to attend the next iteration of the programme.

### **5.10 Programme summative assessment strategy**

The assessment strategy for the CIM programme is designed to engage learners and direct their learning experience. Given the breadth and variability of the mediation knowledge, skills and competences being advanced, the programme uses a variety of assessment elements and approaches.

All modules of the programme are interlinked and the incremental nature of the learning and related assessment is evident as the complexity of the assignments and mediation scenarios increase throughout the programme.

All module assessment strategies have key formative assessment elements allowing learners to receive direction, advice and feedback in advance of final submission of summative work. Formative assessment is used in respect of group work, class discussions and role plays. It is used to assess learning as it occurs, the focus being on constructive learning where feedback is motivational and directed at improvement. This formative assessment offers a combination of self, peer and tutor feedback. Learners are expected to reflect on the feedback and demonstrate development in summative assessment pieces.

Learners are exposed to a range of assessments across all three modules including assignments, Reflective Journals, self-reflective critiques and recorded role-plays. The intention is that with each assessment the learners build on knowledge, skills and competencies that aids their training as mediators. An overview of the summative assessment strategy used in respect of the separate modules is given below:

#### **Mediation and Conflict Resolution – Summative Assessment**

The module is assessed in two parts;

Part 1: This involves a 2,000 to 2,200-word essay assignment which focuses on the curriculum areas that require examination in order to achieve knowledge- and competence-based learning outcomes. The assessment presents an appropriate way to measure the level of learning achieved. Applying theories of conflict to a problem-based scenario is an ideal method of assessing the conflict aspect of the module, while composing an initial letter and opening statement to parties will enable learners to demonstrate their understanding of the basics of initial contact with clients together with the fundamentals of mediation.

Part 2: This involves a reflective professional development mediation Reflective Journal. This 700-word Reflective Journal requires learners to reflect on their learning throughout the module, as well as on their practical training and assessments.

#### **Mediation Ethics and Regulatory Framework**

The module is assessed in two parts

Part 1: This involves a 2000 to 2,200-word essay/discussion paper to include reference to academic commentary. This is deemed the most appropriate assessment method for this module as the depth of research required lends itself best to an academic paper of this nature. The scope of the assessment covers both applicable legislation and a dissection of codes of ethics so that learners can demonstrate knowledge of both the regulatory environment in which the mediation industry exists, as well as a depth of understanding of the ethical considerations impacting upon an individual mediator.

Part 2: This involves a reflective professional development mediation Reflective Journal. This 700-word Reflective Journal requires learners to reflect on their learning throughout the module, as well as on their practical training and assessments.

### **Mediation in Practice**

This module uses four distinct assessments as follows:

#### Parts 1 and 2 - Role Play and Self-Reflection

The first and second assessment are linked with the learner being examined on a practical role-play in the first assessment as well as on an accompanying self-critique of the role play in the second assessment.

Part 1 - Role Play: The learner is examined on a practical role-play. This role-play entails assessing the practical application of what has been learned, with a view to future work in mediation. The role play is recorded.

Part 2 - Self-Reflection: The learner is given a recording of the role-play in Part 1 for the purposes of self-reflection and completing a self-critique of the mediation.

The external assessment of both parts takes place on a separate day, following completion of the role-play.

#### Part 3 - Module Reflective Journal

This involves a reflective professional development mediation Reflective Journal. This 700-word Reflective Journal requires learners to reflect on their learning throughout the module, as well as on their practical training and assessments.

On completion of all three modules' related Reflective Journals, the combined programme related Reflective Journal constitutes an in-depth self-reflective, structured work, that can be used as a tool in future study and practice/employment.

#### Part 4 - Programme Reflective Journal

This involves another reflective professional development mediation Reflective Journal. This 900-word Reflective Journal requires learners to reflect on their learning throughout the entirety of the programme to-date and the interplay between the three constituent modules.

Details of the assessment strategy for each module, along with sample assessments and marking schemes are outlined in Section 6 below and in Appendix 1. The programme's assessment strategy is managed in accordance with the College's approved quality assurance and enhancement policies as outlined in Section E of its QAE Manual.

### **5.10.1 Continuous Assessment**

Continuous formative assessment is integrated into the CIM programme, providing for ongoing feedback to learners as they advance through various iterative developments. This allows lecturers to use assessment 'for' learning as well as 'of' learning. In cases of continuous assessments involving stages of summative assessment as submissions are made or role-plays undertaken, there are always milestones along the way which learners have to reach where they can receive feedback and guidance for improvement.

### **5.10.2 Summative Assessment**

Summative assessments reflect the evaluation of the learners' application of their skills and is undertaken across all modules on the programme, as seen above.

### **5.10.3 Repeat Arrangements**

Assessment periods occur three times during the academic year. They occur at the end of semester one, in January, at the end of semester two, in May, and in August when supplemental or repeat examinations are held. Learners who need to repeat continuous assessment elements can do so during the summer period. Repeat assessments are published on Moodle with information as to submissions dates and modes of submission. The Faculty puts arrangements in place with repeat learners to facilitate them over the summer through the repeat assessment process, including exam revision seminars with lecturers.

### **5.10.4 Major Dissertations or Projects**

This programme does not include a major dissertation or project as a capstone module. The Reflective Journal assessments assist in directing and integrating the learners' incremental and overall development.

### **5.10.5 Proposed programme and stage schedules**

As the CIM programme consists of a single stage, the stage schedule is equivalent to that of the overall programme. The programme (or stage) schedule is presented in Section 10.

## 6 Module Documentation

### 6.1 Module 1 Mediation and Conflict Resolution

#### 6.1.1 Headline information about the module

<b>Module title</b>	Mediation and Conflict Resolution
<b>Module NFQ level (only if an NFQ level can be demonstrated)</b>	Level 8
<b>Module number/reference</b>	1
<b>Parent programme(s) the plural arises if there are embedded programmes to be validated.</b>	Certificate in Mediation
<b>Stage of parent programme</b>	1
<b>Semester (semester1/semester2 if applicable)</b>	1
<b>Module credit units (FET/HET/ECTS)</b>	ECTS
<b>Module credit number of units</b>	5
<b>List the teaching and learning modes</b>	Part-time
<b>Entry requirements (statement of knowledge, skill and competence)</b>	Applicants are required to hold a previous qualification at or above level seven on the NFQ and/or to have equivalent professional experience.
<b>Pre-requisite module titles</b>	None
<b>Co-requisite module titles</b>	None
<b>Is this a capstone module? (Yes or No)</b>	No
<b>Specification of the qualifications (academic, pedagogical and professional/occupational) and experience required of staff (staff includes workplace personnel who are responsible for learners such as apprentices, trainees and learners in clinical placements)</b>	Teaching staff are required to be members of an appropriate professional mediation body.  It is an advantage to have completed the Certificate in Education, Learning and Development provided by Griffith College.
<b>Maximum number of learners per centre (or instance of the module)</b>	16
<b>Duration of the module</b>	2 days within a 25-week period
<b>Average (over the duration of the module) of the contact hours per week</b>	14 hours over the duration of the programme
<b>Module-specific physical resources and support required per centre (or instance of the module)</b>	Classroom that caters for up to 16 learners in flexible seating arrangement suitable for role-plays, simulations and participative learning.  Classroom suitably equipped with appropriate teaching facilities, projection, internet and capacity for video recording, capturing of learning activities.

<b>Analysis of required learning effort</b>		
<b>*Effort while in contact with staff</b>	<b>Minimum ratio teacher / learner</b>	<b>Hours</b>
Classroom and demonstrations	1:16	14
Monitoring and small-group teaching		
Other (specify)		
<b>Independent Learning</b>		
Directed e-learning (hours)		
Independent Learning (hours)		111
Other hours (specify)		
Work-based learning hours of learning effort		
<b>Total Effort (hours)</b>		125

<b>Allocation of marks (within the module)</b>					
	<b>Continuous assessment</b>	<b>Supervised project</b>	<b>Proctored practical examination</b>	<b>Proctored written examination</b>	<b>Total</b>
<b>Percentage contribution</b>	100				100%

### 6.1.2 Module aims and objectives

This Mediation and Conflict Resolution module familiarises learners with the fundamental mediation theories and concepts. It provides knowledge of the principles of mediation and the mediation process. Its role is to provide a basis on which the learner can build and apply mediation theories and practices in simulated and real settings.

This module also aims to give learners an awareness of the impact of conflict behaviour on mediation, both from the perspective of the mediator themselves, and also from the parties to the mediation and emphasises the necessity of inherent emotional intelligence on the part of the mediator in this regard. It seeks to achieve this by introducing learners to both academic reading and self-reflection on the area.

The module further aims to enable learners gain an in-depth understanding of the theories, concepts and methods underlying the development and use of conflict management skills and to acquire the skills of competent conflict management of parties undergoing mediation.

### 6.1.3 Minimum intended module learning outcomes

On successful completion of this module, learners can:

- (i) critique how the position that parties take in a mediation is driven by their unconscious and/or unstated underlying interests
- (ii) demonstrate detailed knowledge and understanding of the principles governing mediation
- (iii) critically analyse the impact the principles of mediation and the mediation process can have in resolving conflict
- (iv) compare and contrast the different models and styles of mediation prior to selecting the appropriate model and style

- (v) critically reflect on their own approach to conflict including their own triggers and conflict behaviours and the skills that are utilised in managing interpersonal conflict
- (vi) critically assess and evaluate the impact of interpersonal conflict on the mediation process.

#### **6.1.4 Rationale for inclusion of the module in the programme and its contribution to the overall MIPLOs**

Learners require a grounding in the theories, principles and practices of mediation prior to progressing into later modules which focus on the law and mediation, codes of ethics and practical application of their skills. The module learning outcomes are specifically aligned to a number of the programme's minimum intended learning outcomes, for example, the module supports learners to:

- (i) demonstrate an understanding of theories, concepts and current awareness pertaining to the field of mediation
- (ii) demonstrate understanding of current legislation, principles and ethical best practice in relation to mediation
- (iii) demonstrate detailed knowledge, understanding and skills in the field of mediation, including the impact of interpersonal conflict on same

#### **6.1.5 Information provided to learners about the module**

Learners receive the following resources and materials in advance of commencement:

- module descriptor with module learning outcomes
- assignment and project brief with assessment strategy
- reading materials
- notes

Module related support and reference material is made available online using Moodle, the College VLE. Moodle also provides learners with access to a range of relevant resources and activities, for example library, video resources, and links to college related supports.

#### **6.1.6 Module content, organisation and structure**

Mediation and Conflict Resolution is a 5 ECTS module taught and assessed over two days involving 14 hours. The indicative module content is shown below.

##### **Mediation**

- Definition of mediation;
- Introduction to the mediation process;
- An introduction to interests-based mediation: Positions versus underlying interests;
- Mediation principles;
- Ladder of inference;
- Models of mediation and different styles of mediation (transformative/facilitative);
- Discussion of mediation video which learners watched prior to Module 1;
- Role Play;
- Overview of assignment work to be done in preparation for Module 3.

## **Conflict**

- Definition and dimensions of conflict;
- The Nature of Conflict;
- The Path of Conflict;
- Conflict Dynamics Profiling;
- Conflict Competence.
- The sources (including a discussion of Values, Needs and Identity) and competences surrounding conflict
- The considerations surrounding conflict triggers and the importance of recognising these in a mediation environment.

The learner is introduced to the CDP 360 tool in this module. CDP 360 is an assessment instrument that measures conflict behaviours and assists learners in reflecting on how conflict triggers themselves and others in mediation. The assessment is completed by the individual by means of questions and rating mechanisms. Each learner receives a 21-page report and a 114-page development guide. The CDP-360 is only available through CDP-Certified Practitioners.

As a “self-report,” the CDP-360 looks at how the learners view themselves. It provides a way of helping them to understand more about how they respond to conflict both behaviourally and emotionally. The CDP-360 enables learners to compare their own perceptions about how they behave during conflict with that of their colleagues. It provides a complete “conflict profile” with feedback. The CDP-360 is particularly helpful for those for whom conflict can be particularly challenging. In addition to feedback on 15 scales, the CDP have a unique “hot buttons” section, which identifies the emotional triggers that negatively impact relationships.

### **6.1.7 Module teaching and learning (including formative assessment) strategy**

This module is delivered by means of participative lectures which consist of tutorial-style discussions, group work sessions and exercises. Formative assessment is provided through tutorial-style discussions, group work and exercises which focus on specific scenarios and problem-based scenarios. These require learners to analyse case studies and apply the mediation process to practical disputes or issues. The module is supplemented by structured web-based resources and reading materials. Self- and peer-assessment is used as key formative tools.

The teaching and learning strategies have been chosen for their ability to instil high levels of learner engagement and development. Each teaching session has a highly participative and practical element, fostered by encouragement of class interaction and interspersed with chances for learners to practice skills learned. The conflict materials provided require the sharing of experiences in group discussion.

Pre-readings are forwarded to all learners prior to commencement of the module. These readings equip learners with the basic outline of the module, including answering relevant self-evaluation questionnaires, thereby saving time whereby the tutor is available for more valuable analysis.

Structured web-based resources are provided for learners to enable them to interact with the tutor and each other in the online learning environment, reducing the isolation any learner may feel during the period between the in-person days of the module and the other modules on the programme.

### **6.1.8 Work-based learning and practice-placement**

The Mediation and Conflict Resolution module does not require a specific work-based learning and practice placement.

### **6.1.9 E-learning**

Moodle, the College VLE, is used to disseminate notes, advice, and online resources to support the learners. The learners are also given access to Lynda.com as a resource for reference.

### **6.1.10 Module physical resource requirements**

The module requires the use of a suitably equipped classroom that can accommodate flexible participative engagement as outlined in 6.1.1 above. Learners require online access to Moodle the College VLE, and can avail of various open labs on campus and in the library.

The College's physical and online library provides dedicated access to extensive online legal research tools (JustisOne, Westlaw, Hein Online).

### **6.1.11 Reading lists and other information resources**

*Madigan, J., Appropriate Dispute Resolution (ADR) in Ireland: A Handbook for Family Lawyers and Their Clients, Jordan Publishing (2012)*

*O'Sullivan, G., The Mediator's Toolkit: Formulating and Asking Questions for Successful Outcomes, New Society Publishers (2018)*

*Beer, J., Packard, C., Elwood Gates, E., Stief, E., The Mediator's Handbook: Revised and Expanded, 4th edition, New Society Publishers (2012)*

*Fisher, R., Ury, W. & Patton, B. Getting to Yes: Negotiating Agreements without Giving In. Boston: Houghton Mifflin Company (2011)*

*McRedmond, P., Mediation Law, Bloomsbury Professional (2018)*

### **6.1.12 Specifications for module staffing requirements**

Teaching staff are required to be members of an appropriate professional mediation body.

It is an advantage to have completed the Certificate in Education, Learning and Development provided by Griffith College.

### 6.1.13 Module summative assessment strategy

The module is assessed in two parts;

Part 1: This involves a 2,000 to 2,200-word essay assignment which focuses on the curriculum areas that require examination in order to achieve knowledge- and competence-based learning outcomes. The assessment presents an appropriate way to measure the level of learning achieved. Applying theories of conflict to a problem-based scenario is an ideal method of assessing the conflict aspect of the module, while composing an initial letter and opening statement to parties will enable learners to demonstrate their understanding of the basics of initial contact with clients together with the fundamentals of mediation.

Part 2: This involves a reflective professional development mediation Reflective Journal. This 700-word Reflective Journal requires learners to reflect on their learning throughout the module, as well as on their practical training and assessments. On completion of all three modules' related Reflective Journals, the combined programme related Reflective Journal constitutes an in-depth self-reflective, structured work, that can be used as a tool in future study and practice/employment.

No.	Description	MIMLOs	Weighting
1	Assignment	(i) to (vi)	80%
2	Reflective Journal (CA)	(i) to (vi)	20%

### 6.1.14 Sample assessment materials

Sample assessments for the module are included in Appendix 3.

### 6.1.15 Mapping of MIMLOs to MIPLOS

MIPLO		MIMLO
1	Knowledge-Breadth	(iii)
2	Knowledge-Breadth	(ii)
3	Knowledge – Kind	(i)
4	Know-How and Skill Range	
5	Know-How and Skill Selectivity	
6	Competence – Context	(iv)
7	Competence – Role	
8	Competence – Learning to Learn	(v)
9	Competence – Insight	(vi)

## 6.2 Module 2 Mediation Ethics and Regulatory Framework

### 6.2.1 Headline information about the module

<b>Module title</b>	Mediation Ethics and Regulatory Framework
<b>Module NFQ level (only if an NFQ level can be demonstrated)</b>	8
<b>Module number/reference</b>	2
<b>Parent programme(s) the plural arises if there are embedded programmes to be validated.</b>	Certificate in Mediation
<b>Stage of parent programme</b>	1
<b>Semester (semester1/semester2 if applicable)</b>	1
<b>Module credit units (FET/HET/ECTS)</b>	ECTS
<b>Module credit number of units</b>	5
<b>List the teaching and learning modes</b>	Part-time
<b>Entry requirements (statement of knowledge, skill and competence)</b>	Applicants are required to hold a previous qualification at or above level seven on the NFQ and/or to have equivalent professional experience.
<b>Pre-requisite module titles</b>	None
<b>Co-requisite module titles</b>	None
<b>Is this a capstone module? (Yes or No)</b>	No
<b>Specification of the qualifications (academic, pedagogical and professional/occupational) and experience required of staff (staff includes workplace personnel who are responsible for learners such as apprentices, trainees and learners in clinical placements)</b>	Teaching staff are required to hold relevant qualifications at an appropriate level.  It is an advantage to have completed the Certificate in Education, Learning and Development provided by Griffith College.
<b>Maximum number of learners per centre (or instance of the module)</b>	16
<b>Duration of the module</b>	2 days within a 25-week period
<b>Average (over the duration of the module) of the contact hours per week</b>	15 hours over the duration of the programme

<b>Module-specific physical resources and support required per centre (or instance of the module)</b>	Classroom that caters for up to 16 learners in flexible seating arrangement suitable for role-plays, simulations and participative learning. Classroom suitably equipped with appropriate teaching facilities, projection, internet and capacity for video recording, capturing of learning activities.
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<b>Analysis of required learning effort</b>		
<b>*Effort while in contact with staff</b>	<b>Minimum ratio teacher / learner</b>	<b>Hours</b>
Classroom and demonstrations	1:16	14
Monitoring and small-group teaching		
Other (specify)		
<b>Independent Learning</b>		
Directed e-learning (hours)		7
Independent Learning (hours)		103
Other hours (specify)		
Work-based learning hours of learning effort		
<b>Total Effort (hours)</b>		125

<b>Allocation of marks (within the module)</b>					
	<b>Continuous assessment</b>	<b>Supervised project</b>	<b>Proctored practical examination</b>	<b>Proctored written examination</b>	<b>Total</b>
<b>Percentage contribution</b>	100				100%

### 6.2.2 Module aims and objectives

The Mediation Ethics and Regulatory Framework module gives learners a clear understanding of the legal and ethical landscape within which mediation is practised so that learners may embark upon a career in mediation, confident of the parameters within which they work. The objective is to provide focussed knowledge of the legislation relevant to the area of mediation in Ireland, and where to find this information.

Learners extend their knowledge of the principles of mediation as well as becoming absorbed into the comparatively narrow legislative scheme within which the individual mediator and the mediation industry generally operates. This module develops learners' understanding of ethical considerations in the field of mediation and cultivates their ability to evaluate the ethical code of practice of one organisation of mediators vis-à-vis another. It allows learners to apply knowledge and skills and exercise professional judgment in identifying an appropriate forum for disputing parties.

### **6.2.3 Minimum intended module learning outcomes**

On successful completion of this module, learners can:

- (i) Critically analyse the differences between the various forms of dispute resolution available to disputing parties and demonstrate an ability to exercise appropriate judgment when mediation may or may not be more suitable.
- (ii) Evaluate how legislative changes and regulatory choices may affect both the mediation landscape in Ireland and an individual mediator in their daily work;
- (iii) Demonstrate how legislation can impact on the principles of voluntariness and confidentiality in mediation;
- (iv) Differentiate the protections, or lack thereof, that exist for a mediator in the legal environment;
- (v) Effectively communicate the impact of Agreements to Mediate and Mediated Agreements in the context of contract law;
- (vi) Critically evaluate the various professional codes of ethics present in mediation in Ireland;
- (vii) Effectively communicate the process, ethics and principles of mediation to potential parties in a mediation;
- (viii) Critically reflect upon his or her application of the law and ethics within the mediation process.

### **6.2.4 Rationale for inclusion of the module in the programme and its contribution to the overall MIPLOs**

Learners have previously gained a grounding in the area of mediation and now focus on the law and mediation, codes of ethics and mediation agreements. The module learning outcomes are specifically aligned to a number of the programme's minimum intended learning outcomes, for example, the module supports learners to:

- (i) demonstrate an understanding of theories, concepts and current awareness pertaining to the field of mediation
- (ii) demonstrate understanding of current legislation, principles and ethical best practice in relation to mediation
- (iii) exercise appropriate judgment at detecting and managing problem content in mediation and adapt accordingly, utilising appropriate techniques in order to manage a given mediation session optimally.

### **6.2.5 Information provided to learners about the module**

Learners receive the following resources and materials in advance of commencement:

- Module descriptor with module learning outcomes
- Class plan
- Assignment and project brief with assessment strategy
- Reading materials and Notes

Module related support and reference material is made available online using Moodle, the College VLE. Moodle also provides learners with access to a range of relevant resources and activities, for example library, video resources, and links to college related supports.

### **6.2.6 Module content, organisation and structure**

Mediation Ethics and Regulatory Framework is a 5 ECTS credit module taught and assessed over 15 hours of lectures and supported with 7 hours of directed e-learning.

#### **Module Content**

- History and development of mediation
- Dispute resolution models compared and analysed
- Mediation in context on the ADR Spectrum
- Criteria for assessing the suitability of mediation
- Mediation Act 2017
- Codes of ethics
- Comparing the codes of ethics and conduct of different sources and accrediting bodies
- Ethical considerations in implementing the core principles
- The interplay between principles of mediation and law
- Mediators privilege
- The Agreement to Mediate
- The Mediated Agreement
- Status of Agreements (binding or non-binding) and the Law of Contract

### **6.2.7 Module teaching and learning (including formative assessment) strategy**

This module is delivered by means of participative lectures which consist of tutorial-style discussions, group work sessions and exercises. Formative assessment is provided through tutorial-style discussions, group work and exercises which focus on specific scenarios and problem-based scenarios. These require learners to analyse case studies and apply the mediation process to practical disputes or issues. The module is supplemented by structured web-based resources and reading materials. Self- and peer-assessment is used as key formative tools.

The teaching and learning strategies have been chosen for their ability to instil high levels of learner engagement and development. Each teaching session has a highly participative and practical element, fostered by encouragement of class interaction and interspersed with chances for learners to practice skills learned. The conflict materials provided require the sharing of experiences in group discussion.

Pre-readings are forwarded to all learners prior to commencement of the module. These readings equip learners with the basic outline of the module, including answering relevant self-evaluation questionnaires, thereby saving time whereby the tutor is available for more valuable analysis.

Structured web-based resources are provided for learners to enable them to interact with the tutor and each other in the online learning environment, reducing the isolation any learner may feel during the period between the in-person days of the module and the other modules on the programme.

### **6.2.8 Work-based learning and practice-placement**

The Mediation Ethics and Regulatory Framework module does not require a specific work-based learning and practice placement.

### 6.2.9 E-learning

Moodle, the College VLE, is used to disseminate notes, advice, and online resources to support the learners. Learners are also given access to Lynda.com as a resource for reference.

### 6.2.10 Module physical resource requirements

The module requires the use of a suitably equipped classroom that can accommodate flexible participative engagement as outlined in 6.2.1 above. Learners require online access to Moodle the College VLE, and can avail of various open labs on campus and in the library.

The College's physical and online library provides dedicated access to extensive online legal research tools (JustisOne, Westlaw, Hein Online).

### 6.2.11 Reading lists and other information resources

*Madigan, J., Appropriate Dispute Resolution (ADR) in Ireland: A Handbook for Family Lawyers and Their Clients, Jordan Publishing (2012)*

*O'Sullivan, G., The Mediator's Toolkit: Formulating and Asking Questions for Successful Outcomes, New Society Publishers (2018)*

*Beer, J., Packard, C., Elwood Gates, E., Stief, E., The Mediator's Handbook: Revised and Expanded, 4th edition, New Society Publishers (2012)*

*Fisher, R., Ury, W. & Patton, B. Getting to Yes: Negotiating Agreements without Giving In. Boston: Houghton Mifflin Company (2011)*

*McRedmond, P., Mediation Law, Bloomsbury Professional (2018)*

*Mediation Act, 2017*

### 6.2.12 Specifications for module staffing requirements

Teaching staff are required to hold relevant qualifications at an appropriate level.

It is an advantage to have completed the Certificate in Education, Learning and Development provided by Griffith College.

### 6.2.13 Module summative assessment strategy

The module is assessed in two parts;

Part 1: This involves a 2000 to 2,200-word essay/discussion paper to include reference to academic commentary. This is deemed the most appropriate assessment method for this module as the depth of research required lends itself best to an academic paper of this nature. The scope of the assessment covers both applicable legislation and a dissection of codes of ethics so that learners can demonstrate knowledge of both the regulatory environment in which the mediation industry exists, as well as a depth of understanding of the ethical considerations impacting upon an individual mediator.

Part 2: This involves a reflective professional development mediation Reflective Journal. This 700-word Reflective Journal requires learners to reflect on their learning throughout the module, as well as on their practical training and assessments. On completion of all three modules' related Reflective Journals, the combined programme related Reflective Journal constitutes an in-depth self-reflective, structured work, that can be used as a tool in future study and practice/employment.

No.	Description	MIMLOs	Weighting
1	Assignment	(i) to (vi)	80%
2	Reflective Journal (CA)	(i) to (viii)	20%

### 6.2.14 Sample assessment materials

Sample assessments for the module are included in Appendix 3.

### 6.2.15 Mapping of MIMLOs to MIPLOs

<b>MIPLO</b>		<b>MIMLO</b>
1	Knowledge-Breadth	(iv)
2	Knowledge-Breadth	(vi) (iii)
3	Knowledge – Kind	(ii)
4	Know-How and Skill Range	(vii)
5	Know-How and Skill Selectivity	(i)
6	Competence – Context	(v)
7	Competence – Role	
8	Competence – Learning to Learn	(viii)
9	Competence – Insight	

## 6.3 Module 3 Mediation in Practice

### 6.3.1 Headline information about the module

<b>Module title</b>	Mediation in Practice
<b>Module NFQ level (only if an NFQ level can be demonstrated)</b>	8
<b>Module number/reference</b>	3
<b>Parent programme(s) the plural arises if there are embedded programmes to be validated.</b>	Certificate in Mediation
<b>Stage of parent programme</b>	1
<b>Semester (semester1/semester2 if applicable)</b>	1
<b>Module credit units (FET/HET/ECTS)</b>	ECTS
<b>Module credit number of units</b>	10
<b>List the teaching and learning modes</b>	Part-time
<b>Entry requirements (statement of knowledge, skill and competence)</b>	Applicants are required to hold a previous qualification at or above level seven on the NFQ and/or to have equivalent professional experience.
<b>Pre-requisite module titles</b>	None
<b>Co-requisite module titles</b>	None
<b>Is this a capstone module? (Yes or No)</b>	No
<b>Specification of the qualifications (academic, pedagogical and professional/occupational) and experience required of staff (staff includes workplace personnel who are responsible for learners such as apprentices, trainees and learners in clinical placements)</b>	Teaching staff and assessors are required to be members of an appropriate professional mediation body.  It is an advantage to have completed the Certificate in Education, Learning and Development provided by Griffith College.
<b>Maximum number of learners per centre (or instance of the module)</b>	16
<b>Duration of the module</b>	4 days within a 25-week period
<b>Average (over the duration of the module) of the contact hours per week</b>	28 hours over the duration of the programme

<b>Module-specific physical resources and support required per centre (or instance of the module)</b>	Classroom that caters for up to 16 learners in flexible seating arrangement suitable for role-plays, simulations and participative learning. Classroom suitably equipped with appropriate teaching facilities, projection, internet and capacity for video recording, capturing of learning activities.
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<b>Analysis of required learning effort</b>		
<b>*Effort while in contact with staff</b>	<b>Minimum ratio teacher / learner</b>	<b>Hours</b>
Classroom and demonstrations	1:16	21
Monitoring and small-group teaching	2:16	7
Other (specify)		
<b>Independent Learning</b>		
Directed e-learning (hours)		7
Independent Learning (hours)		215
Other hours (specify)		
Work-based learning hours of learning effort		
<b>Total Effort (hours)</b>		250

<b>Allocation of marks (within the module)</b>					
	<b>Continuous assessment</b>	<b>Supervised project</b>	<b>Proctored practical examination</b>	<b>Proctored written examination</b>	<b>Total</b>
<b>Percentage contribution</b>	100				100%

### 6.3.2 Module aims and objectives

The primary purpose of the Mediation in Practice module is to prepare the learner to respond to a request for mediation, for activating the mediation procedure and for practising as a mediator in order to bring the dispute to an agreed conclusion.

The module enables learners to gain knowledge and to be able to demonstrate the core competencies necessary for mediating a dispute and to be able to transfer this knowledge to practice.

The module further seeks to enable learners gain an in-depth understanding of the concepts and methods underlying the development and use of mediation and to actualise their ability to implement the skills to practice. The aim is to ensure that learners are confident, highly effective and self-reflective mediators.

Finally, the module enables learners to understand and to deal effectively and appropriately with issues and difficulties that may arise during mediation.

### 6.3.3 Minimum intended module learning outcomes

On successful completion of this module, learners can:

- (i) Evaluate and apply the appropriate processes and procedures of the mediation framework to best fulfil the mediator's role in accordance with best practice;
- (ii) Manage the process and the content of mediation;
- (iii) Demonstrate adeptness in the performance of the skills, competences and behaviours of a mediator;
- (iv) Evaluate and apply a given skill or technique as appropriate to the conflict and relationship dynamics presenting in role-plays that simulate different and uncertain, real-life scenarios;
- (v) Manage issues that may present during a mediation such as destructive behaviour, anger and provocation, power imbalances of parties engaging in the mediation process.
- (vi) Manage effectively the causes of resistance and the dynamic leading to impasse during the mediation process;
- (vii) Critically reflect on his or her own performance and behaviour as a mediator in a role-play in relation to prescribed core competencies of a mediator in the various phases of mediation, and the impact that this can have on the parties involved.

#### **6.3.4 Rationale for inclusion of the module in the programme and its contribution to the overall MIPOs**

Learners have previously gained a grounding in the area of mediation, the law and mediation, codes of ethics and mediation agreements and now focus on the practical application of their skills. The module learning outcomes are specifically aligned to a number of the programme's minimum intended learning outcomes, for example, the module supports learners to:

- (i) Demonstrate detailed knowledge, understanding and skills in the field of mediation, including the impact of interpersonal conflict on same.
- (ii) Demonstrate mastery of a complex and specialised area of skills and tools in mediation; use and modify advanced skills and tools to conduct closely guided research, professional or advanced technical activity in conflict resolution.
- (iii) Exercise appropriate judgment at detecting and managing problem content in mediation and adapt accordingly, utilising appropriate techniques in order to manage a given mediation session optimally.
- (iv) Exercise appropriate judgment in applying mediation techniques creatively and effectively to a range of mediation scenarios.
- (v) Effectively perform the skills and behaviours of a mediator while upholding the efficacy of the mediation process.
- (vi) Evaluate their own performance as a mediator in a constructive way that will continually inform their practice.
- (vii) Express a comprehensive, internalised, personal world view manifesting solidarity with others in the area of conflict resolution and mediation.

#### **6.3.5 Information provided to learners about the module**

Learners receive the following resources and materials in advance of commencement:

- module descriptor with module learning outcomes
- assignment and project brief with assessment strategy
- reading materials

- notes

Module related support and reference material is made available online using Moodle, the College VLE. Moodle also provides learners with access to a range of relevant resources and activities, for example library, video resources, and links to college related supports.

### **6.3.6 Module content, organisation and structure**

Mediation in Practice is a 10 ECTS credit module taught and assessed over 28 hours of lectures and supported with 7 hours of directed e-learning.

#### **Mediation Skills**

- Learners understand the importance of body language in mediation.
- Essential listening skills are explained and taught.
- Various strategies and skills surrounding the asking of questions and problem solving are considered.

#### **The Mediation Framework – Procedure & Process**

- Learners are given in-depth exposure to the mediation framework, including all of the necessary aspects of procedure and process necessary to be able to successfully mediate.
- Content spans from preparation for mediation to demonstration of the different types of meeting involved in mediation sessions: Initial Separate Meetings; Plenary Meetings; Caucus Meetings.

#### **Issues in Mediation**

All mediation sessions meet with varying issues that must be negotiated by the mediator and learners are exposed to examples of these issues, including demonstrations of techniques for dealing with such issues as (but not limited to):

- challenging destructive behaviour
- prevention of power struggles between the mediator and the parties
- coping with anger and provocative statements
- coping with resistance
- breaking an impasse
- power balancing in mediation

### **Application of Mediation Learning**

- Through Role-Play Practice, feedback and self-reflection in line with the core competencies of mediation.

#### **6.3.7 Module teaching and learning (including formative assessment) strategy**

This module is delivered by means of participative lectures which consist of tutorial-style discussions, group work sessions and exercises. Formative assessment is provided through tutorial-style discussions, group work and exercises which focus on specific scenarios and problem-based scenarios. These require learners to analyse case studies and apply the mediation process to practical disputes or issues. The module is supplemented by structured web-based resources and reading materials. Self- and peer-assessment is used as key formative tools.

The teaching and learning strategies have been chosen for their ability to instil high levels of learner engagement and development. Each teaching session has a highly participative and practical element, fostered by encouragement of class interaction and interspersed with chances for learners to practice skills learned. The conflict materials provided require the sharing of experiences in group discussion.

Pre-readings are forwarded to all learners prior to commencement of the module. These readings equip learners with the basic outline of the module, including answering relevant self-evaluation questionnaires, thereby saving time whereby the tutor is available for more valuable analysis.

The role-play scenarios are real life problems experienced by participants with suggested resolutions coming from role-playing parties (fellow learners of the role-playing mediator). Learners are expected to reflect on all of these learning experiences and allow the reflection, combined with peer and group feedback, to inform future practice.

Structured web-based resources are provided for learners to enable them to interact with the tutor and each other in the online learning environment, reducing the isolation any learner may feel during the period between the in-person days of the module and the other modules on the programme.

#### **6.3.8 Work-based learning and practice-placement**

Mediation in Practice is a 10 ECTS credit module and does not require work-based learning and practice placement.

#### **6.3.9 E-learning**

Moodle, the College VLE, is used to disseminate notes, advice, and online resources to support the learners. The learners are also given access to Lynda.com as a resource for reference.

#### **6.3.10 Module physical resource requirements**

The module requires the use of a suitably equipped classroom that can accommodate flexible participative engagement as outlined in 6.1.1 above. Learners require online access to Moodle the college VLE, and can avail of various open labs on campus and in the library.

The college's physical and online library provides dedicated access to extensive online legal research tools (JustisOne, Westlaw, Hein Online).

### **6.3.11 Reading lists and other information resources**

*Madigan, J., Appropriate Dispute Resolution (ADR) in Ireland: A Handbook for Family Lawyers and Their Clients, Jordan Publishing (2012)*

*O'Sullivan, G., The Mediator's Toolkit: Formulating and Asking Questions for Successful Outcomes, New Society Publishers (2018)*

*Beer, J., Packard, C., Elwood Gates, E., Stief, E., The Mediator's Handbook: Revised and Expanded, 4th edition, New Society Publishers (2012)*

*Fisher, R., Ury, W. & Patton, B. Getting to Yes: Negotiating Agreements without Giving In. Boston: Houghton Mifflin Company (2011)*

*McRedmond, P., Mediation Law, Bloomsbury Professional (2018)*

### **6.3.12 Specifications for module staffing requirements**

Teaching staff and assessors are required to be members of an appropriate professional mediation body.

It is an advantage to have completed the Certificate in Education, Learning and Development provided by Griffith College.

### **6.3.13 Module summative assessment strategy**

This module uses distinct assessments as follows:

#### **Role Play and Self-Reflection**

The first and second assessment are linked with the learner being examined on a practical role play in the first assessment as well as on an accompanying self-critique of the role play in the second assessment.

**Role Play:** The learner is examined on a practical role-play. This role-play entails assessing the practical application of what has been learned, with a view to future work in mediation. The role play is recorded.

**Self-Reflection:** The learner is given a recording of the role-play in Part 1 for the purposes of self-reflection and completing a self-critique of the mediation.

The external assessment of both parts takes place on a separate day, following completion of the role-play.

#### **Module Reflective Journal**

This involves a reflective professional development mediation Reflective Journal. This 700-word Reflective Journal requires learners to reflect on their learning throughout the module, as well as on their practical training and assessments.

On completion of all three modules' related Reflective Journals, the combined programme related Reflective Journal constitutes an in-depth self-reflective, structured work, that can be used as a tool in future study and practice/employment.

#### **Programme Reflective Journal**

This involves another reflective professional development mediation Reflective Journal. This 900-word Reflective Journal requires learners to reflect on their learning throughout the entirety of the programme to-date and the interplay between the three constituent modules.

No.	Description	MIMLOs	Weighting
1	Role-play	(i) to (vi)	40%
2	Self-reflection	(i) to (iv)	30%
3	Reflective Journal	(i), to (iv), (vii)	20%
4	Reflective Journal	(i), to (iv), (vii)	10%

### 6.3.14 Sample assessment materials

Sample assessments for the module are included in Appendix 3.

### 6.3.15 Mapping MIMLOs to MIPLOs

MIPLO		MIMLO
1	Knowledge-Breadth	(i)
2	Knowledge-Breadth	(i)
3	Knowledge – Kind	(ii)
4	Know-How and Skill Range	(v)
5	Know-How and Skill Selectivity	(iv)
6	Competence – Context	(ii)
7	Competence – Role	(iii)
8	Competence – Learning to Learn	(vii)
9	Competence – Insight	(vii)

## 7 Programme Staff

### 7.1 Programme director and board

The CIM programme is managed by a programme team working within the college's faculty of law and its related structures, resources, culture and processes. The programme team comprises the programme director and the team of lecturers supported by a programme administrator, head of faculty and other teaching and non-teaching staff within the college. Together, the team ensures that a robust and engaging learning environment is created to support learners in achieving the required learning to a high standard.

CV details in respect of all members of the programme team are provided in the General Faculty Information document submitted along with this proposal.

### 7.2 Complement of staff (or potential staff)

It is proposed that the CIM programme is primarily delivered by a dedicated team of the faculty of law's lecturers with additional staff members being appointed as required. An indicative allocation of programme lecturers to the constituent modules is outlined below

Module title	Lecturer(s)
Mediation and Conflict Resolution	Paul Pierse
Mediation Ethics and Regulatory Framework	Mary Lou O'Kennedy
Mediation in Practice	Mary O'Driscoll

### 7.3 Arrangements for the interface for work placement of employer-based personnel involved in apprenticeship or traineeship programmes

The CIM programme is not an apprenticeship programme.

### 7.4 Programme-specific staff performance management arrangements

It is proposed that the Certificate in Mediation is delivered in accordance with the faculty of law's existing practices, sharing common staffing arrangements. These shared resources and practices relate to the following:

- staff performance management arrangements
- arrangements for the approval of staff who will have a formal role in the programme
- recruitment plan for staff not already in place.

Details in relation to the above items are provided in the General Faculty Information document submitted along with this proposal.

### 7.5 Arrangements for approval of staff who will have a formal role in this programme

Full-time and part-time staff are appointed by the head of faculty in consultation with the programme director and other senior academic staff within the faculty. These decisions are informed by discipline expertise, existing teaching load, and other academic or administrative commitments. Where extra human resources are required, they are recruited. Full-time appointments are managed in association with the college's Human Resource department and the college's management board.

## **7.6 CVs for the programme's key staff (e.g. the programme leadership) and for the identified complement of staff**

The staff CVs are included in the General Faculty Information document.

## **7.7 Recruitment plan for staff not already in post**

Where additional lecturing staff are required, the normal recruitment procedures as set out in QAE I1 are followed. Appointment of any applicant for a lecturing post is the responsibility of the head of faculty who will agree the job specification with the human resources department. The HR department will then be responsible for advertising the post, filtering applicants, and arranging interviews. The head of faculty will be on interviewing panel. All applicants for lecturing posts will need to supply complete and accurate information and references. Applicants are required to deliver a sample lecture selected by the panel in order to demonstrate their ability to deliver material clearly and effectively, demonstrating good communication skills and discipline knowledge.

Newly appointed lecturers are supported in their introduction to the programme team by their programme director and head of faculty. The college's teaching and learning faculty arranges support sessions for new lecturers before the start of each semester. A lecturers' handbook is also available containing the necessary information to ensure a new lecturer is well informed of college supports and requirements.

## **8 Physical resources**

### **8.1 Specification of the programme's physical resource requirements**

The classrooms used for delivery of the Certificate in Mediation (CIM) programme cater for up to 16 learners in flexible seating arrangements suitable for role-plays, simulations and participative learning. The classrooms are suitably equipped with appropriate teaching facilities, projection, internet and capacity for video recording, capturing of learning activities.

Learners on the CIM programme have shared access to the college's other teaching and support resources. Physical resources include the college's library, restaurant, computer labs, etc. Learners are also supported by the college's students' services office, students' union, careers office and counselling service.

The programme team uses the Moodle virtual learning environment to support its learners. This serves as a central administrative and communication resource for learners providing valuable support resources in relation to their modules and managing the scheduling, communication and receipt of assessments. Learners also benefit from the college's provision of Lynda.com user licences.

The faculty administrator manages all learner information on behalf of the programme. The faculty is supported by the Academic Students' Services Department, Quality Assurance and Enhancement Office (QAE), Marketing Department and International Office. The college's IT Services department manages the ongoing development and maintenance of the college's IT resources in line with faculty requirements.

### **8.2 Complement of supported physical resources (or potential ones)**

#### **8.2.1 Premises**

For any cohort the requirement is a fully equipped classroom for lectures. This includes projection and video recording capability, with internet access, and presentation software for use by the lecturer. Library resources are also required for learners, as well as support premises such as students' union and restaurant.

#### **8.2.2 Informational technology resources**

Details of the physical resources available to the CIM programme are provided in the General Faculty Information document submitted along with this proposal.

#### **8.2.3 Materials for teaching, learning and assessment (software and printed)**

Programme and module related teaching and support material is largely distributed through Moodle, so printing requirements are limited. Where printed material is required for learners, this is produced in the college print room by college staff with responsibility for printing educational material. Software resources are maintained by the college IT services department.

#### **8.2.4 Specialised equipment**

The programme does not require any specialised equipment beyond those previously identified as part of the delivery and recording of lectures and the recording of role plays.

### **8.2.5 Technical and administrative support services**

The technical and IT resources within the college are maintained by the IT services department. Administrative support is provided in the first instance by the faculty administrator. The college central administration includes student services, academic records, admissions, and the examinations office all of whom support faculty and learners as required.

### **8.3 Company placement resources**

The programme does not have a company placement stage. Most learners are in full-time employment. Learners who wish to seek support in obtaining employment are assisted by the college's careers and employability office.

### **8.4 Criteria for approving a new centre where the programme may be provided (only if applicable)**

In the event of the law faculty seeking to deliver the CIM programme from another location, it will first ensure that the proposed premises is appropriately equipped to meet the needs of learners and lecturers alike. This process of extending provision to additional campuses has previously been undertaken in respect of programmes from the faculty.

The process involves establishing and confirming that the necessary physical and human resources are in place to deliver the programme on an equivalent basis. It is governed by the Policies and Criteria for the Validation of Programmes of Education and Training under "the location-sensitive validation criteria for each location (for example staffing, resources and the learning environment)" (Policies and Criteria 17.7 (c)).

### **8.5 Entitlements to use the property required**

All of the buildings and related physical resources (e.g. studio teaching resources, computer labs, software licences, etc.) used on the college's CIM programme are owned by Griffith College, or appropriately licensed to be used from the permitting organisation. Similarly, the college holds the intellectual property related to the programme, and is entitled to use and distribute all of the related programme learning materials it creates.

## **9 Programme management**

### **9.1 Documented procedures for the operation and management of the programme**

The operation and management of the Certificate in Mediation (CIM) programme are governed by the college's quality assurance and enhancement (QAE) policies and procedures as outlined in the college's QAE Manual. The quality of programme provision is the responsibility of the programme team and the faculty of law, with other college departments such as exams office, QAE office and director of academic programmes being responsible for ongoing monitoring.

The CIM programme has an external examiner appointed. The procedure governing such appointments is laid out in Procedure for Nominating and Appointing External Examiners (QA E1). The roles and responsibilities expected for external examiners are laid out in Roles and Responsibilities of External Examiners (QA E2)

### **9.2 Supplementary QA procedures for the programme**

There are no supplementary QA procedures required for this programme.

### **9.3 Mechanisms to keep the programme updated and how it will be updated in consultation with stakeholders**

An annual programme report is completed for every programme annually. This report looks at learner, staff and stakeholder feedback, learner performance and external examiner reports. The report is presented to the director of academic programmes, and review by the college Quality Assurance and Enhancement sub-committee. Minor changes to address issues that may arise can be dealt with by this group. Significant changes recommended can be dealt with through request to QQI, and major issues referred to the next programme review.

The CIM programme has recently undergone a five-year review as part of its proposal to revise and revalidate the programme. A copy of the review report is provided in an accompanying document.

### **9.4 Compliance with special validation criteria or requirements attached to the applicable awards standards**

There are no special validation criteria or requirements attached to the awards standards for this programme.

### **9.5 Membership and terms of reference for the programme board**

As outlined in section 7.1 above, the CIM programme is managed by a programme team working within the college's faculty of law and its related structures, resources, culture and processes. The programme team comprises the programme director and the team of lecturers supported by a programme administrator, head of faculty and other teaching and non-teaching staff within the college. Together, the team ensures that a robust and engaging learning environment is created to support learners in achieving the required learning to a high standard. Its terms of reference are to ensure the programme is delivered in accordance with the validated programme and in line with college QAE procedures.

### **9.6 Collaborative provision**

There is no collaborative provision proposed for this programme.

### **9.7 Apprenticeship coordinating provider role**

This is not an apprenticeship programme and so this is not applicable.

### **9.8 Transnational provision**

There is no transnational provision proposed for this programme.

## 10 Proposed Programme Schedule

<b>Name of Provider</b>		Griffith College													
<b>Programme Title</b>		Certificate in Mediation													
<b>Award Title</b>		Certificate													
<b>Stage Exit Award Title</b>		Certificate													
<b>Modes of Delivery (FT/PT)</b>		PT													
<b>Teaching and learning modalities</b>		Direct Contact, Tutorial, Online Support													
<b>Award Class</b>	<b>Award NFQ level</b>	<b>Award EQF level</b>	<b>Stage</b>	<b>Stage NFQ Level</b>	<b>Stage EQF Level</b>	<b>Stage Credits</b>		<b>Date Effective</b>	<b>ISCED Subject Code</b>						
Special Purpose	8	6	Award	8	6	20		September 2019	042						
<b>Module Title</b>		<b>Semester</b>	<b>Module</b>		<b>Credit Number</b>	<b>Total Learner Effort Module (hours)</b>				<b>Allocation of Marks (from the Module Assessment Strategy)</b>					
			<b>Status</b>	<b>NFQ Level</b>	<b>Credit Units</b>	<b>Total Hours</b>	<b>Class (or equiv.) Contact</b>	<b>Directed e-learning</b>	<b>Learning Independent</b>	<b>Hours</b>	<b>Work-based learning effort</b>	<b>C.A. %</b>	<b>Supervised Project %</b>	<b>Practical demonstration</b>	<b>Proctored Practical</b>
<b>ECTS</b>															
Mediation and Conflict Resolution		1	M	8	5	125	14		111		100				
Mediation Ethics and Regulatory Framework		1	M	8	5	125	14	7	104		100				
Mediation in Practice		1	M	8	10	250	28	7	215		100				

## Appendix 1 Mapping of Programme Learning Outcomes to Constituent Modules

Modules		Mediation and Conflict Resolution	Mediation Ethics and Regulatory Framework	Mediation in Practice
Module Number		1	2	3
	<b>MIPLO number</b>	Demonstrate an understanding of theories, concepts and current awareness pertaining to the field of mediation.		
<b>Knowledge - Breadth</b>	1	✓	✓	✓
	2	Demonstrate understanding of current legislation, principles and ethical best practice in relation to mediation.		
<b>Knowledge - Kind</b>	3	✓	✓	✓
	4	Demonstrate mastery of a complex and specialised area of skills and tools in mediation; use and modify advanced skills and tools to conduct closely guided research, professional or advanced technical activity in conflict resolution.		
<b>Know-How and Skill- Range</b>	5	✓	✓	✓
	6	Exercise appropriate judgment at detecting and managing problem content in mediation and adapt accordingly, utilising appropriate techniques in order to manage a given mediation session optimally.		
<b>Competence - Context</b>	7	✓	✓	✓
	8	Exercise appropriate judgment in applying mediation techniques creatively and effectively to a range of mediation scenarios.		
<b>Competence - Role</b>	9	✓	✓	✓
	10	Effectively perform the skills and behaviours of a mediator while upholding the efficacy of the mediation process.		
<b>Competence – Learning to Learn</b>	11	✓	✓	✓
	12	Evaluate their own performance as a mediator in a constructive way that will continually inform their practice.		
<b>Competence - Insight</b>	13	✓	✓	✓
	14	Express a comprehensive, internalised, personal world view manifesting solidarity with others in the area of conflict resolution and mediation.		

## Appendix 2 Mapping of Programme Learning Outcomes to Awards Standards

Knowledge Breadth	
<b>Level 8-Discipline Award standards</b>	An understanding of the theory, concepts and methods pertaining to a field (or fields) of learning
<b>Minimum intended programme learning outcomes for each thread</b>	<p>MIPLO 1: Demonstrate an understanding of theories, concepts and current awareness pertaining to the field of mediation (<i>Knowledge breadth</i>);</p> <p>MIPLO 2: Demonstrate understanding of current legislation, principles and ethical best practice in relation to mediation (<i>Knowledge breadth</i>);</p>
<b>Evidence</b> Outline how the MIPLOs are achieved and assessed.	<b>MIPLO_1 &amp; 2</b> are achieved through: Mediation and Conflict Resolution Mediation, Ethics and Regulatory Framework Mediation in Practice
<b>Analysis</b> Demonstrate how the MIPLOs are consistent with the descriptor for the proposed level 8.	<p>This is a programme introducing learners to mediation and conflict resolution.</p> <p>The Award Standard requires learners to demonstrate an understanding of the theory, concepts and methods pertaining to a field of learning in relation to Mediation.</p> <p>Learners acquire the foundational knowledge of core mediation skills before moving on to develop and apply more complex mediation in Module 3, Mediation in Practice.</p>
<b>Commentary</b>	These modules allow learners to incrementally develop their knowledge, skills and over the course of the programme. Learners demonstrate their acquisition of level 8 award by demonstrating critical thinking in their academic assignment work and in their considered and appropriate practical application of the skills acquired in the Module 3 role play.

<b>Knowledge Kind</b>	
<b>Level 8 Discipline Award standards</b>	Detailed knowledge and understanding in one or more specialised areas, some of it at the current boundaries of the field.
<b>Minimum intended programme learning outcomes for each thread</b>	PLO 3: Demonstrate detailed knowledge, understanding and skills in the field of mediation, including the impact of interpersonal conflict on same ( <i>Knowledge kind</i> );
<b>Evidence</b> Outline how the MIPLOs are achieved and assessed.	<b>MIPLO_3:</b> is achieved through:  Mediation and Conflict Resolution Mediation, Ethics and Regulatory Framework Mediation in Practice
<b>Analysis</b> Demonstrate how the MIPLOs are consistent with the descriptor for the proposed level 8	Level 8 on the NFQ requires learners to understand theoretical concepts, show evidence of abstract thinking, with significant underpinning theory. This is achieved on the programme in the two theory modules. The learners' decision making is tested in their mediation choices in Mediation in Practice where they have total control over the mediation process.  Research is required in order to complete a number of the assessments with learners acquiring an understanding of the ethical and legal issues and questions which arise in mediation.
<b>Commentary</b>	Learners demonstrate in their coursework their independent reading and research, along with an ability to grapple with a range of social, political, cultural and media theories. Learners are required to discuss the theoretical aspects of their studies, offering independent judgments, demonstrating critical thinking and engagement through their assignment work.

<b>Know-how and Skill-Range</b>	
<b>Level 8 Award standards</b>	Demonstrate mastery of a complex and specialised area of skills and tools; use and modify advanced skills and tools to conduct closely guided research, professional or advanced technical activity
<b>Minimum intended programme learning outcomes for each thread</b>	MIPLO 4: Demonstrate mastery of a complex and specialised area of skills and tools in mediation; use and modify advanced skills and tools to conduct closely guided research, professional or advanced technical activity in conflict resolution ( <i>Know-How and Skill-Range</i> )
<b>Evidence</b> Outline how the MIPLOs are achieved and assessed.	<b>MIPLO 4:</b> is achieved through: Mediation Ethics and Regulatory Framework Mediation in Practice
<b>Analysis</b> Demonstrate how the MIPLOs are consistent with the descriptor for the proposed level 8.	The assessments are set at level 8 on the NFQ requiring learners to show specialised skills and tools across the area of mediation. Learners will be enabled to competently facilitate a mediation. At the same time learners develop more sophisticated levels of critical thinking.
<b>Commentary</b>	The learners evidence their realisation of MIPLO 4 through graded assessments comprising a reflective journal and case study observation, culminating in industry standard mediation via role play.

<b>Know-how and Skill-Selectivity</b>	
<b>Level 8 Award standards</b>	Exercise appropriate judgment in a number of complex planning, design, technical and/or management functions related to products, services, operations or processes, including resourcing
<b>Minimum intended programme learning outcomes for each thread</b>	MIPLO 5: Exercise appropriate judgment at detecting and managing problem content in mediation and adapt accordingly, utilising appropriate techniques in order to manage a given mediation session optimally ( <i>Know-How and Skill Selectivity</i> );
<b>Evidence</b> Outline how the MIPOs are achieved and assessed.	<b>MIPLO 5:</b> is achieved through: Mediation Ethics and Regulatory Framework Mediation in Practice
<b>Analysis</b> Demonstrate how the MIPOs are consistent with the descriptor for the proposed level 8.	It is the level of judgment of the problems the learner has to address that ensures these MIPOs are at level 8. While the assessments in each module are challenging in their own right, the learner now has to demonstrate appropriate decision making and problem solving abilities particularly in the context of a formal mediation. Learners are required to demonstrate increasing mastery of the mediation and conflict resolution.
<b>Commentary</b>	Learners show the attainment of Level 8 standards through a mediation role play. Learners create an Reflective Journal demonstrating their plans and preparations for the role play and their reflection and evaluation of the role play itself.

<b>Competence-Context</b>	
<b>Level 8 Award standards</b>	Use advanced skills to conduct research, or advanced technical or professional activity, accepting accountability for all related decision making; transfer and apply diagnostic and creative skills in a range of contexts
<b>Minimum intended programme learning outcomes for each thread</b>	MIPLO 6: Exercise appropriate judgment in applying mediation techniques creatively and effectively to a range of mediation scenarios ( <i>Competence Context</i> );
<b>Evidence</b> Outline how the MIPLOs are achieved and assessed.	<b>MIPLO 6:</b> is achieved through: Mediation and Conflict Resolution Mediation Ethics and Regulatory Framework Mediation in Practice
<b>Analysis</b> Demonstrate how the MIPLOs are consistent with the descriptor for the proposed level 8.	Learners have to demonstrate how they work collaboratively and independently in preparing for and facilitating the mediation role play, respecting differences between the parties to the mediation while maintaining control of the mediation process and behaving in an ethical way. It requires learners to perform tasks accurately, and show they can be professionally responsible in a range of situations. It is also vital that learners take ethical responsibility for their own preparation, participation, contribution and submissions.
<b>Commentary</b>	Learners on the programme consider a range of different mediation settings and players. This diversity requires learners to distinguish one setting from another, and to evaluate possible resolutions in their appropriate contexts. This ability to discriminate and apply appropriate judgment and creative solutions is fostered through directed group discussion and personal reflection on what is appropriate for particular scenarios.  The ability to deliver on MIPLO 6 is developed over the course of the three modules. Learners demonstrate this ability and related ethical responsibility in their interactions with others and in their planned and actual role play mediations

Competence-Role	
<b>Level 8 Award standards</b>	Act effectively under guidance in a peer relationship with qualified practitioners; lead multiple, complex and heterogeneous groups
<b>Minimum intended programme learning outcomes for each thread</b>	MIPO 7: Effectively perform the skills and behaviours of a mediator while upholding the efficacy of the mediation process ( <i>Competence Role</i> )
<b>Evidence</b> Outline how the MIPOs are achieved and assessed.	<b>MIPO 7:</b> is achieved through: Mediation in Practice
<b>Analysis</b> Demonstrate how the MIPOs are consistent with the descriptor for the proposed level 8.	This learning outcome is in module three. Learners demonstrate they can master a mediation independently, and interact with the parties to a mediation in a professional and ethical manner. They are also required to demonstrate advanced communication skills in terms of conducting meetings with the parties.
<b>Commentary</b>	Learners get to see, evaluate and reflect on case scenarios and role plays involving and conducted by others in structured learning settings. They also get to plan, prepare and participate in mediation role play scenarios and to reflect on their own developing skills. This incremental development of planning, practice and reflection enables them to conduct their own professional mediation practice.

<b>Competence-Learning to learn</b>	
<b>Level 8 Discipline Award standards</b>	Learn to act in variable and unfamiliar learning contexts; learn to manage learning tasks independently, professionally and ethically
<b>Minimum intended programme learning outcomes for each thread</b>	MIPLO 8: Evaluate their own performance as a mediator in a constructive way that will continually inform their practice ( <i>Competence Learning to Learn</i> ).
<b>Evidence</b> Outline how the MIPLOs are achieved and assessed.	<b>MIPLO 8:</b> is achieved through:  Mediation and Conflict Resolution Mediation Ethics and Regulatory Framework Mediation in Practice
<b>Analysis</b> Demonstrate how the MIPLOs are consistent with the descriptor for the proposed level 8.	This learning outcome is advanced through all three modules as it requires the learner to critically reflect, demonstrate the ability to independently research plan and complete a Reflective Journal, self-assessment and role-play.
<b>Commentary</b>	By completing all the programme related assessments, including the many opportunities for planning, practice, evaluation and reflection involving discussion, assignments role plays, Reflective Journal and their own CDP360 profile, learners will be able to confidently act as mediators in different scenarios. They will also have the necessary mediation skills and academic understanding to register as members of the Mediators Institute of Ireland.

<b>Competence-Insight</b>	
<b>Level 8 Discipline Award standards</b>	Express a comprehensive, internalised, personal world view manifesting solidarity with others
<b>Minimum intended programme learning outcomes for each thread</b>	MIPLO 9: Express a comprehensive, internalised, personal world view manifesting solidarity with others in the area of conflict resolution and mediation ( <i>Competence Insight</i> )
<b>Evidence</b> Outline how the MIPLOs are achieved and assessed.	<b>MIPLO 9:</b> is achieved through:  Mediation and Conflict Resolution Mediation in Practice
<b>Analysis</b> Demonstrate how the MIPLOs are consistent with the descriptor for the proposed level 8.	The importance of mediation in society in respect the legal sector (particularly family law, employment law etc) and the introduction of the Mediation Act requires learners to develop an internalised view of mediation and its current role in conflict resolution on a national and international basis.
<b>Commentary</b>	Learners raise and discuss contentious topics and engage in debate in relation to their learning and to their work. The learners' views are informed by directed academic readings and reflected in their in-class and role play engagement and in their written and reflective assignments.

## Appendix 3 Sample Assessments

This appendix presents sample assessments in respect of the three modules of the proposed programme.

### Module 1 - Mediation and Conflict Resolution

#### Assignment Title

You are provided with a narrative and the CDP profiles of the following two people: Jennifer Jobs and Alan Gent. (You already have your own CDP Profile.)

Question 1. In what way would these CDP profiles, together with what you know of the parties, influence your preparation for and management of the conflict between them? Refer to the role and competencies of a mediator in your answer. (50 Marks)

Question 2. Choose one of the parties in the role play provided. How would you as a mediator explain to the party you have chosen, what the benefits of mediation might be to their situation? Refer to the principles of mediation in your answer as well as different models and styles of mediation. (50 Marks)

You are expected to refer in your answer to appropriate sources of information and/or academic commentary on conflict and mediation.

The following learning outcomes are being assessed in the assignment and each element is to be addressed:

- (i) Recognise and explain how the position that parties take in a mediation is driven by their unconscious and/or unstated underlying interests;
- (ii) Demonstrate knowledge of the principles governing mediation;
- (iii) Explain the impact the principles of mediation and the mediation process can have in resolving conflict;
- (iv) Describe the different models and styles of mediation;
- (v) Evaluate his or her own approach to conflict including their own triggers and conflict behaviours and the skills that are utilised in managing interpersonal conflict;
- (vi) Have detailed knowledge of the impact of interpersonal conflict on the mediation process.

### **Narrative – Party 1 to Mediation**

#### Jennifer

Jennifer is employed as a dental nurse who works in a very busy private clinic. She is with the company now for 6 years and runs the clinic with her colleague Alan. They report in to the MD of the clinic but self-manage their own work as peers.

Alan joined the clinic one year ago, and ever since there have been tensions between them. Jennifer worked very well with her previous colleague who she looked up to and admired. They always helped each other out and would 'go the extra mile' for each other whenever they could. They also 'watched each other's backs' given the level of patients coming through the clinic and the growing potential of the clinic to be sued or challenged about their treatment of patients.

However, Alan has never been a team player in this way. He started in the clinic with different terms from those that Jennifer works under. He was able to negotiate more flexible hours from the beginning of his employment than she had and appears to have the ear of the director when it comes to needing time off (which he often does for family events and problems). One of Alan's children suffers from a medical condition and he often needs to get time off to care for her. It is not a serious condition, but it does need management. Jennifer doesn't have children, but does have other family issues that she does not bring into the workplace. Yet, she has to constantly listen to his dramas and be flexible to cover him.

Despite always taking the later shift and covering for him on his days off, he never ever appears to be grateful or say thanks. According to Jennifer, Alan continually "takes, takes, takes". While Alan does not report to Jennifer, she has trained him in on the job and he regularly has to check in with her on procedures etc., which again he seems to take for granted. The thing that really upsets Jennifer is that Alan drops tools at the end of his shift and walks out on her, even if there are files to be prepared for the following day. It then falls on Jennifer to stay late and finish the work.

Jennifer gets on with all the other people who work in the clinic. She is a hard worker, but feels that Alan is not as committed to his work as Jennifer is, and his first priority is to look out for himself. She believes that Alan does not place the same importance on the success of the unit as Jennifer does and as far as Jennifer is concerned, he cannot be trusted.

Jennifer decided recently to do her own thing and not go out of her way anymore to help Alan. She stopped going for lunch with him and has decided to talk to him only when she is obliged to. Last week Jennifer decided to book her Christmas holidays. Two days were overlapping with Alan's. She talked to her boss about it. Her boss said to work it out between them: that one would have to cover each of the two days. She told Alan she would cover the Thursday if he could do the Friday. Alan said he wasn't changing his plans. He went to talk to the boss who told him he was agreeable to getting somebody in to cover the Friday. When Alan told Jennifer, she asked him whether the Thursday would also be covered?

Alan said he didn't ask about the Thursday and Jennifer became furious. She shouted at Alan, telling him she couldn't believe he was so selfish and that all he cared about was himself. She said he was going to leave the company because of him, that he was impossible to work with and everybody agreed with her. She said she wasn't going to help him ever again and that he was to only talk to her when necessary about a patient.

Jennifer now feels there's no point in talking to Alan or trying to resolve the issues between them. As far as Jennifer is concerned, one of them will have to leave the clinic. She knows that Alan has made a complaint about her to their boss. She is worried about this because she now feels that her boss has also let her down and should have dealt with this before now.

Yesterday Jennifer's boss asked her to consider mediation. She has no idea what Alan could possibly have to complain about. She has done everything to help him since he started and he has never appreciated it. While she does not see what good it could do, she has agreed to talk to a mediator.

## **Narrative – Party 2 to Mediation**

### Alan

Alan Gent joined the dental clinic two years ago. He worked in a busy hospital in London prior to this and decided to take this job because he felt it would not be as demanding on his home life. When he

attended for interview, the Managing Director reassured him that he could be flexible in his hours and that the clinic management supported the work/home life balance that Alan needed to have, especially in view of his daughter's medical condition. He also was clear that Alan reported to him and not to Jennifer and that Alan and Jennifer were both expected to self-manage the unit, reporting issues to the Managing Director only when necessary.

From the beginning in the post however, Alan felt that Jennifer didn't like him. He finds her very abrupt in how she deals with people generally, and particularly with him. She is very quick off the mark and makes snide remarks at times when he has to leave work at the allotted time. Alan believes that Jennifer second guesses his decisions about his working hours, and he feels that she is always scrutinising everything he does. He often feels like saying to her 'you're not my boss', but doesn't.

Alan feels they got off to a bad start because he had negotiated special conditions. He feels that Jennifer was not in favour of these conditions and since then she just will not let it go. She keeps implying that she has to stay late in the evenings because patients are waiting. Alan believes she likes to play the martyr and doesn't manage her time well. She has no regard for work/life balance and likes to be in control of everything. She is forever checking up on him and scrutinising his work. He feels like telling her that she is not his boss but does not wish to create more hassle between them.

While Alan finds it very difficult to take Jennifer's approach to the job, he tries to get on with her. He is confident in his ability to do his job and sometimes he stands up to Jennifer, but never seems to get anywhere with her. Alan finds Jennifer loses her temper when she is challenged or under pressure. She exaggerates the seriousness of a lot of relatively minor issues in Alan's opinion.

Alan's way to deal with situations like that is to avoid letting her know how he feels about things and to go along with her where possible. She is always trying to get him to spend more time on preparing the reports and wants to talk through every detail endlessly. Alan finds this tedious, unnecessary and sees it as Jennifer's way of trying to control him and assert herself as the senior nurse.

Lately however Alan has found that Jennifer has become very distant and feels she just doesn't want to be in his company. She approached him last week saying she was working out the Christmas roster and there two days overlapping between them, even though Alan had previously booked them off. The Managing Director told her that Alan and Jennifer would have to 'work it out between them'. Alan was furious because he felt Jennifer had done this on purpose and was just trying to upset his plans. He was not prepared to accept this. He told the Managing Director that he had to have the time: it was booked in advance and somebody was going to have to be brought in as cover. The Managing Director agreed that if Jennifer would work the Thursday, cover could be arranged for the Friday. However, when he told this to Jennifer she started shouting at him. She completely lost her temper and said she was leaving because of him, that she "couldn't work with him" and "everybody thought the same".

After this outburst, Alan went to his Managing Director and said he wanted to make a complaint of bullying against Jennifer. He decided he was taking a stand this time and is not backing down anymore. Alan feels he has done nothing to deserve Jennifer's treatment of him.

His Managing Director has asked him to consider mediation. He doesn't believe it is possible to sort this out but has agreed to meet the mediator to discuss how the process of mediation works.

## Sample Marking Criteria

Marking Criteria	Demonstrate understanding of human reaction to conflict, and the impact of underlying interests on same.	Demonstrate knowledge of the principles of mediation and how the process could benefit a party to the conflict presented.	Range and depth of reading and research	Academic structure and Presentation of paper
Weighting	35	35	20	10
70 - 100%	Demonstrates excellence in understanding human reaction to conflict, and the impact of underlying interests on same. Evidence of excellent, appropriate self-reflection.	Evidence of excellent ability to communicate the principles of mediation in an applied way, how the process of mediation can benefit the conflict and the party.	Evidence of detailed independent research and independent thinking	Advanced academic piece of work, written and structured in a clear and concise manner and referenced correctly
60 - 69%	Strong performance demonstrating a very good understanding of human reaction to conflict, and the impact of underlying interests on same. Evidence of very good, appropriate self-reflection.	Evidence of very good ability to communicate the principles of mediation in an applied way and how the process of mediation can benefit the conflict and the party.	Good engagement with primary sources. Some original insights.	Academic piece of work, written and structured in a clear and concise manner and referenced correctly
40 - 59%	Adequate performance demonstrating some understanding of human reaction to conflict, and the impact of underlying interests on same. Limited self-reflection.	Evidence of some ability to communicate the benefits of the process and principles of mediation, poorly directed at the scenario.	Demonstrates familiarity with the basic reading	Reasonably well written piece of work with some structure and referenced correctly
>39%	Poor performance demonstrating little or no understanding of human reaction to conflict, and the impact of underlying interests on same. Devoid of relevant self-reflection.	Little if any evidence of ability to communicate the benefits of the process and principles of mediation, poorly or inappropriately directed at the scenario.	Poor knowledge or only slight awareness of basic reading	Poorly written piece (poor spelling and grammar) with little structure and poor referencing

## **Module 2 - Mediation Ethics and Regulatory Framework**

### **Assignment Title**

President Michael D. Higgins signed the Mediation Act 2017 into law on October 2nd 2017.

Critically analyse the effect this legislation has (or is likely to have) on at least two of the principles of mediation. In your answer, consider how a Mediators Institute of Ireland registered mediator is currently regulated under the Code of Ethics of that institute.

### **Learning Outcomes Assessed**

- (i) Identify the differences between the various forms of dispute resolution available to disputing parties and demonstrate an ability to exercise appropriate judgment when mediation may or may not be more suitable.
- (ii) Explain how legislative changes and regulatory choices may affect both the mediation landscape in Ireland and an individual mediator in their daily work;
- (iii) Demonstrate how legislation can impact on the principles of voluntariness and confidentiality in mediation;
- (iv) Explain the protections, or lack thereof, that exist for a mediator in the legal environment;
- (v) Communicate the impact of Agreements to Mediate and Mediated Agreements in the context of contract law;
- (vi) Demonstrate familiarity with and evaluate the various professional codes of ethics present in mediation in Ireland;
- (vii) Explain the process, ethics and principles of mediation to potential parties in a mediation.

## Sample Marking Criteria

Marking Criteria	Knowledge of topic and use of relevant material	Critical analysis and engagement with the question	Academic structure and Presentation of paper
Weighting	50	30	20
70 - 100%	Excellent performance demonstrating excellent knowledge of the key issues and addressing these in depth.	Evidence of critical analysis of legislation and ethics in mediation well applied to the question posed	Advanced academic piece of work, written and structured in a clear and concise manner and referenced correctly
60 - 69%	Good solid understanding of the relevant regulatory considerations. Key issues identified.	Very good focus on the question asked. Good critical analysis.	Academic piece of work, written and structured in a clear and concise manner and referenced correctly
40 - 59%	Evidence of some understanding of the issues posed in the question	Reproduction of material without significant critical judgment. Competent discussion.	Reasonably well written piece of work with some structure and referenced correctly
>39%	Little or no understanding of the issues posed in the question demonstrated	Addresses question asked in a minimal way or not at all. Irrelevant material predominates.	Poorly written piece with little structure and poor referencing

## Module 3 – Mediation in Practice

### Reflective Portfolio

Participants will be assessed on their ability to reflect on and evaluate their mediation training experience in the form of the compilation of a 'Professional Development Portfolio'.

At a minimum your Reflective Journal provides:

- A demonstration of knowledge and understanding you have developed in the field of mediation, including showing the impact of interpersonal conflict on same (500-600 words);
- Drawing on the work you did in preparation for the Mediation Ethics and Regulatory Framework module, and the work you did for the assessment, reflect on the issues that arose for you in that module and the impact it would have on your practice as a mediator (500-600 words);
- Drawing on the preparatory work and assessment that you did for the practical role-play assessment completed in module 3 "Mediation in Practice", reflect and evaluate your performance as a mediator (i.e. tools and techniques used to create an appropriate environment, and strategies you used to deal with any issues that arose) making reference to areas that work well for you in terms of engaging mediating parties, and areas that require further academic and professional development on your behalf (800-1000 words).

### Learning Outcomes Assessed

- (i) Apply the appropriate processes and procedures of the mediation framework to best fulfil the mediator's role in accordance with best practice;
- (ii) Recognise and manage issues that may present during a mediation such as destructive behaviour, anger and provocation;
- (iii) Recognise and manage effectively the causes of resistance and the dynamic leading to impasse during the mediation process;
- (iv) Evaluate his or her own performance as a mediator in a role-play in relation to prescribed core competencies of a mediator;
- (v) Evaluate the importance of his or her own behaviour as a mediator in the various phases of mediation, and the impact that this can have on the parties involved.

## **Role Play Self-Assessment Form**

The Mediators' Institute of Ireland

The Professional Association for Mediators



### Roleplay Self-Assessment Form

This form to be completed by the candidate being assessed following their role-play and review of the video of their assessed role-play without input from other(s).

#### **Section I: Background Information**

Name of Mediator (*Candidate*): \_\_\_\_\_

Phone: \_\_\_\_\_ E Mail: \_\_\_\_\_

Name of MII Assessor: \_\_\_\_\_

#### **Section II: Roleplay Information**

Details (*date of roleplay assessment/duration/type of scenario*):

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## Section III: Assessment of Mediator Skills

### *Scale To Measure - Level Of Participation*

Please use the following rating scale and determine an overall rating for each category applicable to your roleplay. Below the headings are listed several factors to consider in making a rating - please circle one. Because the process is unfolding you will only be able to demonstrate some of the qualities and skills set out below. It is the appropriate use of these skills for the stage of the process & the relationship that has been reached that is assessed.

**5 – Very Good Standard:** *The candidate has displayed the skills and knowledge which indicate they have the ability to conduct a mediation and where they demonstrated a capability of using all of the relevant interventions in each assessment area.*

**4 – Good Standard:** *The candidate has displayed the skills and knowledge which indicate they have the ability to conduct a mediation and where they demonstrated a capability of using most of the relevant interventions identified in each assessment area.*

**3 – Satisfactory:** *The candidate has displayed the skills and knowledge which indicate they have the ability to conduct a mediation and where they demonstrated a capability of using the relevant interventions identified in each assessment area.*

**2 - Needs improvement:** *The candidate has not displayed the skills and knowledge which indicate they have the ability to conduct a mediation as they have failed to demonstrate appropriate use of the relevant interventions.*

**1 – Unacceptable:** *The candidate has failed to display most or all of the skills and knowledge which indicate they have the ability to conduct a mediation. The candidate has used few if any of the appropriate interventions in each assessment area.*

Please circle one.

Under the “Comments” section, discuss specifically those areas you view as needing improvement and those you feel you completed successfully.

## Roleplay Self-Assessment Form

Please type or print clearly – Use additional paper if needed.

### Managing the Relationship in Mediation

Establishes and maintains a respectful trusting and balanced relationship with the participants by:

- (i) Creating rapport
  - (ii) Respecting the participants
  - (iii) Encouraging mutual respect among all participants
  - (iv) Being objective and impartial in style
  - (v) Modelling '*advanced communication skills*' with co-mediator
- Demonstrates key mediator skills and qualities (*e.g., listening, questioning, assertiveness, observation, tolerance, openness, honesty etc.*)
  - Encourages the participants' self determination
  - Facilitates a collaborative relationship between the participants
  - Enables the participants hear each other's stories
  - Enables the participants develop a relationship with the mediator(s) and if feasible, with each other in the room, whereby they express feelings and become "*real*" to each other
  - Encourages use of preferred names
  - Recognises and acknowledges conciliatory gestures and concessions (*'gifts'*)
  - Facilitates expressions of regret and apology between the participants
  - Enables the participants explore their future relationship, if relevant

Overall Rating (*please circle one*):      1 2 3 4 5

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Managing the Process of Mediation

- Deals effectively with initial resistance to mediation
- Ensures participants have a clear understanding of the structure of mediation, process and roles
- Where applicable, assists the participants in negotiating the process, ground rules and agenda for mediation sessions
- Manages the introduction process in a respectful, balanced and clear fashion
- Works effectively with co-mediator in controlling the stages of the process
- Attends and explores participants' concerns and empathises with feelings
- Enables the development of each participant's story
- Encourages participants to openly converse
- Manages the separation of issues into an agenda
- Assists participants in understanding the consequences of their plans
- Assists participants with option building, broadening the number or scope of options
- Empowers the participants to explore and find their own ways forward
- Manages the creative discussion of possible ways forward
- Ensures participants have a clear understanding of expectations in relation to preparation and delivery of the joint meeting
- Assists participants in exploring and reality-testing alternatives to mediation
- Manages impasse, resistance, or difficult behaviour
- Demonstrates appropriate use of joint meetings and Caucus
- Works with power imbalance or control issues
- Handles intense emotions
- Displays flexibility and uses creative strategies effectively
- Assists participants with reality testing next steps, particularly through the use of questioning and consultation with other agencies where appropriate
- Enables the participants develop clarity about their concerns
- Facilitates Agreement
- Writes Agreement
- Enables participants to complete a service evaluation
- Engages in 'evaluative feedback' session with co-mediator

Overall Rating (*please circle one*):      1 2 3 4 5

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Manages the Content of the Mediation

Obtains, identifies, organises, analyses, prioritises and evaluates information

Assess the issues and options and reason logically

Reads, comprehends and uses relevant written materials

Write clearly and concisely, using neutral language

Organises records and materials

Asks the participants to elicit information from other professionals (*such as appraisers, actuaries, accountants, mental health professionals, child protection professionals, lawyers*) with the objective of broadening rather than limiting the participants' options

Overall Rating (*please circle one*):      1 2 3 4 5

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

**Managing the Self**

- Demonstrates mastery of mediation process
- Demonstrates an awareness of ethical issues
- Engages in ongoing assessment of appropriateness of case for mediation
- Demonstrates appropriate level of skill, competence, and effectiveness
- Demonstrates ability to work with co-mediator and clients
- Demonstrates ability to self-reflect.

Overall Rating (*please circle one*):      1 2 3 4 5

Comments: \_\_\_\_\_

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\_\_\_\_\_

## Section IV: Overview

1. What worked well and why?

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2. What might you have done differently and why?

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Signature of roleplay candidate:

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Date:

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**This form to be completed and returned to the assessor or agency arranging the mediation assessment on the date of assessment.**

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