



Competency Framework

This competency framework aims to prepare candidate to become a qualified Mediator. Candidates will have to demonstrate these 3 categories of skills to be a qualified mediator: Process Skills, People Skills and Management Skills.

A. Process Skills

No.	Criteria	Notes
1.	<u>Uphold key principles of Mediation throughout the process:</u> <ol style="list-style-type: none"> a. Confidentiality b. Voluntary participation in the process c. Impartiality 	
2.	<u>Demonstrates understanding of the structure of the mediation process:</u> <ol style="list-style-type: none"> a. Ensure the Agreement to Mediate is signed b. Demonstrate appropriate use of joint meeting/ or caucus and respects confidentiality throughout c. Manages the introduction process in a respectful, balanced and clear fashion d. Where applicable, assists the participants in negotiating the process, ground rules and agenda for mediation sessions e. Where appropriate, confirms parties have authority to make decisions around resolving the issues or identifies an appropriate process regarding authority to settle. f. Where appropriate, draws together options into a coherent agreement g. In the event of parties failing to reach an agreement, closes the process appropriately 	
3.	<u>Demonstrate practical skills in carrying out the tasks involved in progressing a mediation:</u>	

	<ul style="list-style-type: none"> a. Ensures participants have a clear understanding of the structure of the mediation process and roles b. Picks up on and pursues verbal and nonverbal cues to promote progress c. Manages and signposts transitions between stages and keeps all parties informed d. Enables the development of each participant's story by asking relevant questions, particularly open questions, to encourage parties to talk e. Summarises and checks before moving on f. Remains in charge of the process throughout and handles challenges to either the process or the Mediator, calmly and assertively g. Ensures any notes, flip/chart notes or any technology used etc. treated in an appropriate and confidential manner 	
4.	<p><u>Demonstrate practical skills in applying appropriate procedures in a mediative manner according to different situations:</u></p> <ul style="list-style-type: none"> a. Empowers the participants to explore and find their own ways forward b. Helps parties to use the time productively when not with Mediator by encouraging parties to reflect c. Assists participants in exploring and reality-testing alternatives to mediation, using BATNA, WATNA and reality testing in a timely and effective manner d. Assists participants with reality testing next steps, particularly through the use of questioning and consultation with other agencies where appropriate e. Where appropriate, asks the parties to elicit information from other professionals (such as appraisers, actuaries, accountants, mental health professionals, child protection professionals or lawyers) with the objective of informing the parties' options 	

B. People Skills

No.	Criteria	Notes
1.	<p><u>Establishes and maintains a respectful trusting and balanced relationship with the participants by:</u></p> <ul style="list-style-type: none">a. Creating rapportb. Respecting the participantsc. Encouraging mutual respect among all participantsd. Being objective and impartial in style	
2.	<p><u>Demonstrate essential skills of mediator when managing relationship between parties:</u></p> <ul style="list-style-type: none">a. Demonstrates neutrality through equal treatment of the parties and use of nonjudgmental languageb. Reminds parties about agreed ground rules, if other interventions are ineffectivec. Enables the participants hear each other's stories, understanding of others' statements about feelings, needs and ideasd. Raises questions as appropriate between parties about feelings and specific behaviours to encourage constructive expression of emotions and prevent escalation of conflicte. Allows parties to vent emotions, whilst maintaining a safe environment, in order to enable progressf. Encourages participants to openly converse	

3.	<p><u>Demonstrate essential skills of mediator when managing relationship between parties and mediator:</u></p> <ul style="list-style-type: none"> a. 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 b. Attends and explores participants’ concerns and empathizes appropriately with feelings c. Paraphrases, asks clarifying questions and summarises to assist parties to feel heard d. Demonstrates understanding of each party's situation and their feelings about it 	
4.	<p><u>Demonstrate practical skills in generating an active and friendly atmosphere of mediation:</u></p> <ul style="list-style-type: none"> a. Encourages use of preferred names b. Uses a range of rapport-building strategies, such as adapting terms used, adopting a pace or volume of speech to suit the language level of the parties and acknowledging non-verbal behaviours c. Sets the scene and sets the tone, appears relaxed, alert and confident with the process d. Conveys energy, enthusiasm and personal warmth e. Establishes the Mediator’s authority and communicates in an assured, open manner, verbally and nonverbally f. Ensures nonverbal listening cues (e.g. posture, eye contact) are supportive and balanced. g. Manages interruptions effectively 	

	<ul style="list-style-type: none"> h. Recognises and acknowledges conciliatory gestures and concessions ('gifts') i. Uses silence and other nonverbal communication strategies including pauses 	
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C. Management Skills

No.	Criteria	Notes
1.	<u>Demonstrate the ability of assisting parties to clarify and frame the issues in disputes:</u> <ul style="list-style-type: none"> a. Draws out the background and context of the situation b. Elicits not only facts, but also parties' perceptions of the situation and each other. c. Clarifies and checks understanding of each person's statements. d. Clarifies between parties, as appropriate, the effects of past events relating to dispute issues e. Asks questions that encourage the parties to see the situation and the conflict, from a broader perspective including the other party's point of view f. Explores beyond surface issues g. Effectively summarises the essence of parties' stories and issues 	
2.	<u>Demonstrate the capacity to have a good grasp of each parties' concerns and underlying interests:</u>	

	<ul style="list-style-type: none"> a. Manages information exchange tactically to good effect b. Identifies and probes positions, and explores underlying interests, issues and needs c. Enables the participants to develop clarity about their concerns d. Helps parties to analyse risks and benefits of particular outcomes e. Encourages the parties to re-evaluate their own and each other's position f. Checks with parties that all issues have been fully explored g. Encourages parties to make their own decisions 	
3.	<p><u>Demonstrate the ability to assist parties to create solutions and work towards agreement clearly and fairly:</u></p> <ul style="list-style-type: none"> a. Manages the process without determining content b. Works on options, implications and consequences, and avoids premature commitment to solutions c. Assists participants in understanding the consequences of their plans d. Writes clearly and concisely, using neutral language e. Keeps notes, as necessary, unobtrusively f. Explains to parties what will happen to any notes, flip chart paper, paper work generated. 	