



International Mediation Institute

PROFESSIONAL MEDIATION WORLDWIDE

Promoting Consensus and Access to Justice

www.IMImediation.org

The TCM Group

IMI Certified Mediator Training Program

The Organisation

Legal name	The TCM Group
Contact details	Suite 312-314 Business Design Centre, 52 Upper Street, London, N1 0QH, 0800 294 9787, info@thetcmgroup.com
Website	https://thetcmgroup.com/tcm_course/national-certificate-in-workplace-mediation/
Person completing application	Cameron Duncan, Training and Development Co-Ordinator
Program delivery	The program and its assessment are delivered in person, online, or a mix of both.
Locations and languages	United Kingdom, English.

1. Registration

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

Year formed, and under laws of what country/ies	2001, United Kingdom
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Training course registered in accordance with jurisdiction requirements	Yes
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2. Course Content

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

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

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

Attach your course outline	See Annexes: <ul style="list-style-type: none"> • Course Outline • Delegate Slide Deck
Mediation principles - neutrality, voluntary nature, confidentiality, party self-determination, process	In our Slide Deck there is a slide called 'Mediation in a Nutshell', that underpins the role of a Mediator (Slide 37)
The roles of legal counsel and representatives	We have mini workshops within the course that are conducted through breakout rooms that have scenarios of the Legal Counsel and Representatives and go over their roles in Mediation and what they can and can't do
Overview of negotiation and conflict resolution theory	We use a theory called FAIR Mediation conflict resolution, created by our CEO David Liddle. It uses the concept of F- Facilitate; A- Appreciate; I - Innovate; R- Resolve and we use this for all our

	Mediation processes.
Mediator ethics, including appropriate local ethical standards	We have a slide that explains what Mediators can't do or shouldn't do, getting an understanding of their role and how far their role stretches
Forms of listening skills and communication strategies	Key Skill on Slides 73 - 74, is an exercise into listening skills (Active Listening)
Process management skills, including the use of joint and private meetings	We highlight the stages of a FAIR mediation meeting, with a diagram to break this down on Slide 104, with 8 critical stages on slide 105 consisting of Open the meeting confidently and honestly Agree with the ground rules, Uninterrupted speaking time followed by 4 mediator questions, Summary after both parties have spoken - create links and identify, commonalities, The exchange, Break, Problem-solving, Action planning/agreement, Closing the meeting
Negotiation strategies and skills to manage the content of the dispute	We use INCA (5 key questions) to break to the parties to get the Impact, needs, Consequences and anything else. This can be found on slide 106
Ways of responding to the diverse behaviours of the parties	We include an exercise called Types of Impasse where Delegates discuss what they would do when dealing with strong emotions or a dead end. This is then extended into the trainer's top tips which can be found on Slide 108-109

3. Competency Framework

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

Attach competency framework	See Annex Competency Framework
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4. Course Duration

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

Course duration	42 hours and 30 minutes - 6 days, 9 am – 5 pm
Asynchronous learning <i>Up to 10% of the minimum 40 hours' course may be delivered asynchronously. Applies to programs that are conducted partially or entirely online.</i>	0%

5. Group Size

It is recommended that courses have a maximum class size of 30 students.

Maximum class size	12
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7. General Teaching Approach

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

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

Exercises and discussion – approximately 40%; Role-playing, coaching and feedback—approximately 50%.

The trainer-student ratio should range between an ideal of 1 trainer to every 6 participants; to a maximum of 1 trainer to every 10 participants.

Lecturing, knowledge input, presentation	10%
Exercises and discussion	40%
Role-playing, coaching, and feedback	50%

8. Participant Materials

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

In a similar way, when participants are required to prepare for their roles in advance of the role plays, role play confidential briefs should be supplied in sufficient time to allow role players to prepare. As a guideline, it is suggested that this should be no later than one week in advance of the course.

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

In what format and how far in advance do participants receive general course materials and confidential role play briefs?	Each Delegate will receive the general course materials once they have booked the course. They will receive Joining Instructions which have a unique login to their own Delegate Zone (personalized web portal). On this web portal, they can find the slide deck for the session, any pre-course work that they need to fill out, further reading materials, and handouts for the course. This portal is available to them 24/7 and lasts for a lifetime, allowing delegates to go back to it at any time and access the material
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	<p>put on there. The portal can also be updated at any point by our head office if further information or materials would like to be added. It also gives them the timings, location, and date for the session in the first tab.</p> <p>In regard to the role play briefs, the trainer will be given all of the role play briefs one week before the start of the course. These roles play briefs will not be uploaded to the portal, but rather sent out to each delegate with their respective role play brief on the fourth day. This gives the delegate a chance to have an overview of what they are going to embark on and to ask the trainer any questions before their assessments on the 5th & 6th day of the course. The delegates will be told not to share the information about their role with the other party but the delegates playing the role of the mediators will have a briefing of the role play to scan through before they start the assessment.</p>
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9. Setting up Role Plays

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

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

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

10. Providing Feedback

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

<p>How is performance feedback given to participants on your course?</p>	<p>The trainer will give verbal feedback following each section of the mediation process, they will offer some constructive criticism that is verbal but also very positive comments once they have concluded their role-play assessment. They will then fill out a Role Play Assessment form that contains the assessment criteria to make sure they hit each objective that is set for the role play assessment. This is then sent back to the delegate once they have had their Portfolio marked and they will receive both feedback forms for their Roleplay and Portfolio to view.</p>
<p>Attach course feedback forms or guidance</p>	

6 and 11. Online programs

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

<p>Course design</p>	<p>Foleon (Interactive PDF), we use various platforms (Zoom, Teams) and incorporate more frequent breaks to accommodate the fact it is online and encourage breaks away from the screen, we also use Break-Out rooms for more interactivity</p>
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<p>Provisions for participants not able to attend all 40 hours</p>	<p>In our terms and conditions, if a Delegate is unable to attend the full 40 hours, we allow them to transfer to a different course so they can complete them</p>
<p>Preparing the participants</p>	<p>We have a number of Pre-Course reading for delegates to have in preparation, they have access to a Delegate Zone which has plenty of material for the Delegate to have to get ready for the course. Reflective learning is an important element in mediation work. Mediators operate in difficult emotional conflict situations.</p> <p>Practitioners need to address their own personal needs and motivations so that they are able to recognize unresolved past conflict which impacts the quality and effectiveness of their work. This can be partially processed through private study and tutorials. The private study also offers the opportunity for learners to assimilate elements of the course content and create ownership and the development of personal articulation of theory and principles.</p>
<p>Informal meetings</p>	<p>Breakout rooms, breaks within the course, and lunch breaks</p>
<p>Role-plays for post-course assignment</p>	<p>The Role Play assessment is conducted through breakout rooms and dependent on the number of delegates, it will be run with 2 delegates playing the role play and either 1 or 2 delegates will conduct the Mediation. This will run throughout half the day and then the Delegates will swap roles for the next half of the day or the following day</p>

	dependent on the timings
Written component of post-course assignment	All participants are expected to complete a portfolio of learning. The portfolio will require, on average 4 days of learning. This is the minimum standard set by TCM. The training workbook uses a standard template provided by Total Conflict Management, however, it may also include: Learner reflection sheets, Completed learning exercises, Peer feedback and assessment sheets, Tutor feedback and assessment sheets, Private study tasks, Role-plays completed, Articles and notes, Records of skill exercises, Tutors final overall assessment
Feedback on post-course assignment	Each Delegate will receive a mark sheet for the Role Play and Portfolio, this detailed mark sheet shows them achieving each criteria and comments on specifics that they did well throughout the assessments
Supporting documents	

11. Performance Assessment and Accreditation

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

Does your course provide an assessment of a participant's competence as a mediator, and if so,	Yes. After learning the Theory based element of Mediation. The Delegates will undertake a role-play
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<p>how is this process undertaken?</p>	<p>element. This is an important part of the course in which participants are encouraged to put principles into practice in a safe environment via experiential learning. The emphasis will be on participants' ability to try out specific mediation skills. Trainer, participant, and peer feedback are also part of this process. Participants will be involved in assessing role-plays which they must pass to complete this course.</p>
<p>Does your course provide an assessment of a participant's knowledge as a mediator, and if so, how?</p>	<p>The Delegates must also complete a self-reflective Portfolio that is equivalent to up to 40 hours of work. In this Portfolio, they will test their knowledge of a Mediator and it may also contain: Learner reflection sheets, Completed learning exercises, Peer feedback, and assessment sheets, Tutor feedback and assessment sheets, Private study tasks, Role-plays completed, Articles and notes, Records of skill exercises, Tutors final overall assessment</p>
<p>Process of appointing assessors on a course</p>	<p>An assessor will have to have undertaken our National Certificate in Workplace Mediation course previously, then shadowed at least one of the smaller one or two-day courses, followed by shadowing the National Certificate in Workplace Mediation courses and conducting at least one Mediation before being allocated</p>
<p>Clarification of passing criteria. How a student passes or fails this program</p>	<p>To pass the course, delegates must complete all 14 activities to achieve the acceptable minimum criteria for a candidate to achieve the overall NCWM award.</p>
<p>Next steps taken, should a student fail.</p>	<p>They have an opportunity to re-submit the relevant areas</p>

<p>Policy documents relating to assessment (optional / if applicable)</p>	
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12. Facilitation of further development as a mediator

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

<p>Indicate what your organisation does to facilitate participants' development as mediators</p>	<p>After the conclusion of the course, we offer a Mediator Helpline 24/7, a Refresh, Review & Reassure session that takes place 3-6months after the course conclusion, Full access to the amazing resources of the TCM Community for all delegates, a Free copy of the Workplace Mediators Handbook™ for all delegates, One to one coaching for delegates during the course and once the course concludes, support via the TCM helpline as required, The unique online TCM Delegate Zone™ which includes useful toolkits, check sheets, videos, papers and other resources for delegates</p>
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13. Complaints and Appeals

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

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

<p>Attach complaints and appeals policy</p>	<p>See Annexes:</p> <ul style="list-style-type: none"> • Complaints Handling Procedure • Assessment Policy • Assessment - Appeals Policy
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	<ul style="list-style-type: none"> • Assessment Malpractice Policy
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Conflicts of Interest

<p>Please outline what steps you take to avoid any potential conflicts of interest between trainer/coaches/assessors and participants on your course.</p>	<p>If assessors or internal moderators have a personal relationship or are related to any learner this should be declared and alternative appropriate assessment arrangements made. This would also apply if assessors or internal moderators have any personal or financial interest in the organisations sponsoring learners to attend courses. The assessors and internal moderators cannot assess their own work if they wish to study for an award and alternative arrangements should be made in terms of other staff assessing the portfolios.</p>
<p>Upload conflicts of interest policy (optional / if applicable)</p>	

Trainers, Coaches, and Assessors

<p>Anyone seeking to act as a TCA has successfully participated in a mediation training course which meets the requirements set out above.</p>	<p>Yes</p>
<p>Where mediator registration is required in a jurisdiction, trainers, coaches and assessors are registered as mediators.</p>	<p>Yes</p>

<p>TCAs have conducted at least two actual mediations of at least four hours' duration in each of the preceding three years before being appointed. Once appointed, they conduct two actual mediations of at least four-hours duration per year AND are able to show that they have maintained continuous professional development (CPD) of six hours per year.</p>	<p>Yes</p>
<p>Trainers attend 'train the trainer' training of at least 18 hours, broadly covering topics set out in the IMI guidance notes</p>	<p>Yes</p>
<p>Coaches and assessors undertake a course broadly covering topics set out in the IMI guidance notes</p>	<p>Yes</p>
<p>Trainers deliver at least one basic mediator skills training course or refresher course every two years</p>	<p>Yes</p>
<p>Coaches and assessors coach and/or assess at least four role play sessions over the course of two years.</p>	<p>Yes</p>
<p>On-going feedback is sought from course participants, and given to those delivering the course.</p>	<p>Yes</p>
<p>Comments and/or explanations</p>	<p>All of our TCAs have been delegates and participated on the course they will be delivering, once they have completed our course they become accredited</p>

	<p>Mediators through the relevant body, Trainer will also be asked to deliver a one- or two-day basic Mediation Training course before delivering the National Certificate in Workplace Mediation course</p>
<p>New TCAs are to be observed and given performance feedback by senior colleagues</p>	<p>The new trainers will be observed by more experienced Mediators/ trainers during their delivery of the course and given the chance to have feedback and areas of improvements throughout</p>
<p>Explain your peer review system for trainers, coaches and assessors</p>	<p>The Evaluation Form for the course contains the relevant review system after the course for the trainers to reflect upon and any constructive criticism given by delegates</p>
<p>Attach Train-the-Trainer Program</p>	<p>Our Trainers do not attend a typical 'Train the Trainer' program, however, the trainers that the TCM Group use are Nationally Accredited Mediators. To be a TCM Accredited Trainer, you have to attend our National Certificate in Workplace Mediation (NCWM) course, then have to have shadowed at least one of our smaller one or two-day courses, followed by shadowing the NCWM (as a trainer/assessor opposed to a delegate) and conducted at least one mediation course before and a minimum of 5 2-party mediations. Being a trainer requires the same investment as being an assessor.</p> <p>The Trainers that also deliver the course do hold Training accreditations and we have approximately ten experienced Trainers/Assessors who shall lead training and internal assessment.</p>
<p>Attach template feedback form</p>	