



International Mediation Institute

PROFESSIONAL MEDIATION WORLDWIDE

Promoting Consensus and Access to Justice

[www.IMImediation.org](http://www.IMImediation.org)

## Align Mediation Ltd

*IMI Certified Mediator Training Program*

### The Organisation

<b>Legal name</b>	Align Mediation Ltd
<b>Contact details</b>	Stepstones, Crockwell Street, Long Compton, Warwickshire, CV36 5JN; 0800 994 9835; info@alignmediation.co.uk
<b>Website</b>	<a href="http://www.alignmediationtraining.co.uk">www.alignmediationtraining.co.uk</a>
<b>Person completing application</b>	Harry Thomas, Managing Director
<b>Program delivery</b>	The program and its assessment are delivered in person, online, or a mix of both.
<b>Locations and languages</b>	England, 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.*

<b>Year formed, and under laws of what country/ies</b>	England
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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	<b>See Annex Course Outline</b>
<b>Mediation principles - neutrality, voluntary nature, confidentiality, party self-determination, process</b>	These are covered in the training manual that is sent out to candidates before the course as part of the core pre-reading. They are also covered on the handout which candidates are provided with when explaining how the process of a mediation case works with Align. It is then discussed again between 11:30 - 12:00 on Monday of the course outline as well as between 13:45 - 14:15.
<b>The roles of legal counsel and representatives</b>	This is covered on Tuesday between 15:45 - 16:45 of the course outline
<b>Overview of negotiation and conflict resolution theory</b>	This is covered in the training manual that is sent out to candidates before the course as part of the core pre-reading. It is also covered during the lecture on Fisher and Ury's principled theory of negotiation between 16:30 - 17:30 on Monday of the course

	outline
<b>Mediator ethics, including appropriate local ethical standards</b>	This is covered in the training manual that is sent out to candidates before the course starts as part of the core pre-reading. It is also covered on Tuesday of the course outline between 17:00 - 18:00
<b>Forms of listening skills and communication strategies</b>	Both listening and communication strategies are covered in the training manual that is sent out to candidates before the course starts as part of the core pre-reading as well as during the questioning lecture between 09:30 - 10:15 on Tuesday of the course outline
<b>Process management skills, including the use of joint and private meetings</b>	These are covered in the training manual which is sent out to clients before the course starts, as part of the core pre-reading material. It is also covered between 12:00 - 13:00 on Monday and 13:45 - 14:15 on Monday
<b>Negotiation strategies and skills to manage the content of the dispute</b>	Negotiation strategies are covered during Fisher and Ury on Monday between 16:30 - 17:30; during the lecture on problem-solving and creativity between 10:00 - 11:00 on Wednesday; during the talk on settlement negotiations between 17:00 - 18:00 on Wednesday and during the exercise between 09:45 - 12:15 on Thursday. Skills to manage the content of the dispute are covered on Monday between 13:45 - 14:15; between 09:30 - 10:15 on Tuesday; between 10:30 - 11:15 on Tuesday; between 11:30 - 12:00 on Tuesday and between 11:15 - 12:15 on Wednesday

<b>Ways of responding to the diverse behaviours of the parties</b>	This is covered during the psychology lecture between 08:30 - 09:30 on Tuesday and during the lecture on emotional intelligence between 13:45 - 14:45 on Thursday
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### 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	<b>See Annex Competency Framework</b>
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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.*

<b>Course duration</b>	43 hours
<b>Asynchronous learning</b> <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.*

<b>Maximum class size</b>	18
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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.*

<p><b>Lecturing, knowledge input, presentation</b></p>	<p>9%; 1:6 maximum ratio; our approach is to have our head trainer leading the lecturing/presenting but to have our second and third trainer present for these also. This is because, although more than one person cannot present at once, having a second and third opinion from trainers on certain topics is invaluable and also encourages questions/discussions from the participants.</p>
<p><b>Exercises and discussion</b></p>	<p>36%; 1:6 maximum ratio; our approach is similar to the category of presenting above: the exercises and discussions are a vital part of the course as they encourage the delegates to discuss and question parts of each topic. We explain to the delegates that we hope they will learn not just from our trainers and the materials, but also from one another. We have delegates on each course from a wide variety of backgrounds/industries and who have had differing experience within mediation up until this point. We therefore encourage people to share their experiences but also to question things that they may have a differing opinion on/experience with. For example, the question of whether or not the</p>

	<p>mediator should allow/encourage a discussion immediately after the parties have delivered their opening statements at the end of the opening joint session, is a topic which often divides opinion with our groups. We explain that, often, in mediation, there is no right or wrong answer - it's sometimes a case of judging the situation and making the right decision in that circumstance.</p>
<p><b>Role-playing, coaching, and feedback</b></p>	<p>50%; 1:6 maximum ratio; our approach is to always have 3 trainers on each course. With our maximum number of delegates on each course being 18, this, therefore, ensures that our maximum ratio is 1:6 for the practical exercises. We split the delegates into groups of 3 for the role-playing exercises which mean the maximum number of groups role-playing at a time, is 6. Each trainer takes 2 groups to observe and provide feedback to. Please note that although our maximum number on a course is 18, the average number we have on each course is between 12 and 15, therefore making the maximum ratio between 1:4 / 1:5 (on average)</p>

## 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.*

<p><b>In what format and how far in advance do participants receive general course materials and confidential role play briefs?</b></p>	<p>Participants are sent the general course materials and confidential role-play scenarios 2 weeks before the course starts. These materials are sent either in hard copy via post or electronically (we give each participant the choice).</p> <p>The materials they are sent are:</p> <ul style="list-style-type: none"> <li>• Getting to Yes by Fisher and Ury.</li> <li>• Our training manual.</li> <li>• Todd v Mary role-play scenario.</li> <li>• Easy Love v Max Performance role-play scenario.</li> <li>• Apex Roofing role-play scenario.</li> <li>• The Accountancy firm role-play scenario.</li> <li>• Shoe Planet role-play scenario.</li> <li>• Kirby v Millview role-play scenario.</li> <li>• Computer Galaxy v Linda Milrole-play scenario</li> </ul>
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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.*

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

At least 50% of role plays are supervised by an experienced coach/trainer, and a coach is present for at least 50% of the role playing time	Yes
Where role plays are used as assessments, they are supervised by the assessor 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><b>How is performance feedback given to participants on your course?</b></p>	<p>Performance feedback is given orally to participants in the course. To assess participants for the purposes of this feedback, our trainers, coaches, and assessors use the marking criteria checklist (please see Align Mediations Assessment Marking Checklist). Please note for the purposes of feedback throughout the training course days, we do not formally 'mark' the participant as we do in the final assessment. The said Marking Checklist is just for the purpose of checking whether a participant has displayed the criteria (rather than giving them a score for each one).</p>
<p><b>Attach course feedback forms or guidance</b></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><b>Course design</b></p>	<p>We use Zoom to host our training program and ask that all delegates have themselves OFF mute for the duration of the course (unless they need to place themselves on mute for any reason). This is the</p>
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opposite of how Zoom calls usually work - the default is for participants to be muted and then come off mute temporarily to say something, before turning themselves back onto mute. We strongly encourage the opposite - this is to ensure that the course is as engaging as possible, and that people can chip in with questions/comments at the time (much like they would on the face-to-face course). We send out instructions via email in advance of the course regarding the basics of using Zoom including asking them to use the 'gallery view' which allows them to see everyone in the group at the same time (as opposed to 'speaker view' which does not). The lectures, group discussions and presentations are able to work equally effectively via Zoom as they do face-to-face, given the screen-sharing facility that we use - participants are able to see the materials being referred to as well as see the speaker. The group exercises and role-play also work equally as effectively, due to the confidential breakout room facility on Zoom. The lead trainer will control the creation and assigning of rooms and simply ask the participants to accept their invitation to enter that room. Making all 3 of our trainers' hosts, allows us all to switch between different rooms to check in on all rooms regularly. We make it a rule that none of the Zoom call is to be recorded, and that we will not be recording any of it - unless a participant is going to miss a part of the course. If this is the case, we will ask for everyone's permission for us to record the session that the participant will be missing, so that they can catch up on the recording later that evening. Due to the role-play exercises only being valuable if you are participating, we do not record

	<p>these role-play exercises - only lectures/presentations. If a participant is going to miss a role-play exercise, we schedule time later in the week for them to have a 1:1 session via Zoom with our trainers to catch up. In addition to the scheduled breaks and lunchtimes on the course, participants can take short breaks away from the screen when they are involved in a role-play exercise and not act as a party at that particular time.</p>
<p><b>Provisions for participants not able to attend all 40 hours</b></p>	<p>Any lecture/presentation that they may miss is recorded (with participants' permission) and that recording is sent to them that same day for them to catch up on. If it is a role-play exercise that is being missed, we schedule a time during the morning or evening for them to go through that exercise with our trainers. We make a point of asking participants before the course starts if there are any potential times throughout the week that may cause them to miss a session.</p>
<p><b>Preparing the participants</b></p>	<p>As mentioned in one of the answers above, we send out an email before the course starts with guidance on how to log in to the Zoom call and then how to manage their visibility and audio while on the call. We appreciate that some are less tech-savvy than others and therefore offer any person the opportunity to jump on a 'practice call' with one of our trainers in advance of the course as some feel more comfortable doing it in practice as opposed to simply reading instructions. We want to ensure that everyone is equipped with the basics of how to operate Zoom before attending the course. This is because we want the course to run to timings</p>

	promptly, but also so that the person who is experiencing difficulties with Zoom, does not have their experience hindered, and also to ensure that the rest of the group is not hindered by any person's problems.
<b>Informal meetings</b>	Although the course formally starts at 08:30 each day, our head trainer is logged in to the Zoom call from 08:15 every morning for people to log in early and have a 'virtual coffee' together. This allows the participants to meet informally during the course. The participants also spend time together on the in-person assessment day when they are not taking part in a role-play at that time and during breaks and lunch.
<b>Role-plays for post-course assignment</b>	Our courses always include an in-person practice component
<b>Written component of post-course assignment</b>	Our courses always include an in-person practice component.  During the course, we talk through the drafting of the agreement process and that evening, each delegate is required to draw up their own agreement regarding a fictional dispute and settlement and present it to the trainers and group the following day
<b>Feedback on post-course assignment</b>	Our courses always include an in-person practice component
<b>Supporting documents</b>	

## 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.*

<p><b>Does your course provide an assessment of a participant's competence as a mediator, and if so, how is this process undertaken?</b></p>	<p>Yes. Please refer to Day 5 on the course outline. The formal assessment of our course is undertaken in person and consists of each participant mediating for a total of 2 hours (2 x separate 1-hour sessions with a break in-between). Participants are split into groups of 3 for the assessment day and are all provided with their individual role-play scenario briefs 24 hours before the assessment day. In each group of 3, there will be 3 different role-play scenarios so that the same scenario is not used more than once. Each participant will take turns mediating for 1 hour while the other 2 participants play the disputing parties. This hour will start with the opening joint session and run from there. Once all participants have completed their first hour, they will then mediate for a second hour. This hour will start in a private caucus session with one of the parties who will deliver an offer of settlement to the mediator. This hour tests the mediator's ability to receive, explore and deliver offers of settlement between the parties.</p>
<p><b>Does your course provide an assessment of a participant's knowledge as a mediator, and if so, how?</b></p>	<p>Each participant is assessed over a 2-hour period via a live mediation role-play. As part of that assessment, we assess the participant's knowledge as a mediator.</p>

<b>Process of appointing assessors on a course</b>	All our assessors are accredited, experienced mediators and we ensure that none of the assessors on a particular assessment day have been involved in that week's training course.
<b>Clarification of passing criteria. How a student passes or fails this program</b>	A student will only pass our program if they are deemed to be competent. Throughout their 2 hours of practical role-play assessment, all students are assessed using our assessment marking checklist. As you will see, we look for certain skills and techniques to be displayed by the mediator during each part of the mediation process. Each skill and technique are worth a certain number of points and the total number of points awarded to the student will tell us whether they are competent or not yet competent (passed or failed). As you will see, for those students who pass, they are also graded to let them know how good their performance was).
<b>Next steps taken, should a student fail.</b>	If a participant fails their assessment, they are given written feedback as to why they have failed, and which areas need improvement. They are then invited to join us on a Zoom call to discuss the reasons for failure in more detail and provided with upcoming dates for assessment days which they can attend to re-take.
<b>Policy documents relating to assessment (optional / if applicable)</b>	

## 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><b>Indicate what your organisation does to facilitate participants' development as mediators</b></p>	<p>As a service provider of mediation (as well as a training provider), we help our students take their first steps into the mediation industry in several ways. Firstly, we offer observation opportunities with our mediators on a regular basis free of charge. This can be face-to-face mediation cases or virtual mediation. We also run a 1-day workshop via Zoom every 2-3 months for all existing students. This is a CPD day and includes a 3-hour mediation role-play demonstration as well as a session on starting a mediation business and growing a mediation business. It is also a great opportunity for mediators to network with one another. We also provide them with a mediation starter pack which provides them with templated documentation needed to set up a mediation case (agreement to mediate etc.) as well as tips on how to promote themselves and where to get insurance. In addition, for those students of ours who achieve either a 'very good' or 'outstanding' mark in their assessment, once they have experience in observing 3 mediation cases and carrying out at least 1 mediation of their own, we would invite them to join our panel of mediators and start undertaking mediation work on our behalf.</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.*

<b>Attach complaints and appeals policy</b>	<b>See Annex Complaints and Appeals Policy</b>
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## Conflicts of Interest

<b>Please outline what steps you take to avoid any potential conflicts of interest between trainer/coaches/assessors and participants on your course.</b>	As part of the process for booking a place on any course, each participant is made aware of the names of both the trainers on their course week and the assessors on the assessment day of their course. This is provided to them in their registration letter. We then ask them to confirm that they do not already know any of these people and that there is no other reason for a conflict of interest to arise. As mentioned previously in another answer - we ensure that the trainers on a particular course week are not the assessors on that course.
<b>Upload conflicts of interest policy (optional / if applicable)</b>	

## Trainers, Coaches, and Assessors

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

<p><b>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.</b></p>	<p>Yes</p>
<p><b>Trainers attend 'train the trainer' training of at least 18 hours, broadly covering topics set out in the IMI guidance notes</b></p>	<p>Yes</p>
<p><b>Coaches and assessors undertake a course broadly covering topics set out in the IMI guidance notes</b></p>	<p>Yes</p>
<p><b>Trainers deliver at least one basic mediator skills training course or refresher course every two years</b></p>	<p>Yes</p>
<p><b>Coaches and assessors coach and/or assess at least four role play sessions over the course of two years.</b></p>	<p>Yes</p>
<p><b>On-going feedback is sought from course participants, and given to those delivering the course.</b></p>	<p>Yes</p>
<p><b>Comments and/or explanations</b></p>	<p>All our trainers, assessors, and coaches attend a 20 hr train the trainer course, which is 20 hours in duration, every 24 months. They also attend a refresher course of 8 hours every 12 months. In</p>

	<p>order to stay current, each trainer, assessor, and coach are involved in delivering a course and assessment day every 2 months.</p>
<p><b>New TCAs are to be observed and given performance feedback by senior colleagues</b></p>	<p>Whenever a new TCA is used by us, they will be 'shadowed' by an experienced colleague to ensure that they are meeting the standards set by our organization. During a course, the new Trainer or Coach will stay behind after the day and be provided with feedback by the experienced colleague who has been shadowing them. If it is a new assessor, the group who are being assessed by this new assessor, will essentially be assessed twice - once by the new assessor and once by the experienced assessor. The new assessor will stay behind at the end of the day so that they can receive feedback on their feedback made to students after their assessment. In terms of the actual assessment result, the experienced assessor will compare their assessment marking checklist with that of the new assessors and ensure that they are reasonably similar.</p>
<p><b>Explain your peer review system for trainers, coaches and assessors</b></p>	<p>At the end of each course that we run, all participants are provided with a feedback form to complete and send back to us. After 1 week of the course finishing and the feedback forms coming back to us, our TCA's arrange a quick zoom call to discuss the feedback from the participants that week, as well as internal feedback between one another as to how things can be improved for next time.</p>
<p><b>Attach Train-the-Trainer Program</b></p>	
<p><b>Attach template feedback form</b></p>	

