



International Mediation Institute

PROFESSIONAL MEDIATION WORLDWIDE

Promoting Consensus and Access to Justice

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

## YCM Solutions OPC Private Limited

*IMI Certified Mediator Training Program*

### The Organisation

<b>Legal name</b>	YCM Solutions OPC Private Limited
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<b>Website</b>	<a href="https://ycmindia.com/">https://ycmindia.com/</a>
<b>Program delivery</b>	Online
<b>Locations and languages</b>	India, English and Hindi

### 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>	2021
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<b>Training course registered in accordance with jurisdiction requirements</b>	Not required
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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.

<b>Attach your course outline</b>	See Annex YCM – Course Outline
<b>Mediation principles - neutrality, voluntary nature, confidentiality, party self-determination, process</b>	Day 1 - Mediation Stages
<b>The roles of legal counsel and representatives</b>	Day 1 - Mediator's Ethics
<b>Overview of negotiation and conflict resolution theory</b>	Day 1 - Theory of Conflicts and Day 3 - Negotiation

<b>Mediator ethics, including appropriate local ethical standards</b>	Day 1 - Mediator's Ethics
<b>Forms of listening skills and communication strategies</b>	Day 2 - Mediator Skills Part 1 and Day 3 - Mediator Skills Part 2
<b>Process management skills, including the use of joint and private meetings</b>	Day 2 - Mediator Skills Part 1 and Day 3 - Mediator Skills Part 2
<b>Negotiation strategies and skills to manage the content of the dispute</b>	Day 3 - Negotiation
<b>Ways of responding to the diverse behaviours of the parties</b>	Day 1 - Theory of Conflicts and Day 2 - Mediator Skills Part 1 and Day 3 - Mediator Skills Part 2

### 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 YCM – 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.

<b>Course duration</b>	41 hours 50 minutes
<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>	4 hours out of 41 hours 50 minutes (9.5%)

## 5. Group Size

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

<b>Maximum class size</b>	30
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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>	<ul style="list-style-type: none"> <li>• Lecturing – 3.5%</li> <li>• Presentation – 4%</li> <li>• Knowledge Input – 2.5%</li> </ul> <p>The course is majorly participatory and interactive. The need for individual learning is considered, and the course is designed to meet these by including a variety of sessions.</p> <p>As there is no work prior to the course, the trainees learn everything from the scratch which they can then put into practice. Lectures reduce noticeably day by day, to allow the practice of role plays to increase. This means that the first day is mostly in the form of lecturing/direct teaching in order to input knowledge so that the trainees have knowledge to draw upon when they start to practice the roles plays. There are also demonstrations throughout the course by the trainers which are live and/or shown by pre-recorded videos. These are then used for discussion and to highlight key learning points.</p>
<p><b>Exercises and discussion</b></p>	<ul style="list-style-type: none"> <li>• Total 40%</li> <li>• Discussion – 22%</li> <li>• Exercise – 18%</li> </ul> <p>There are plenty of stimulating interactive activities and exercises for trainees to enjoy. Class and small group activities support and cement the learning of the knowledge input. By such activities, trainees are developing self-confidence and enhancing their communication and critical thinking skills. Discussion and debates are encouraged throughout with additional specific Q&amp;A timeslots.</p>

<p><b>Role-playing, coaching, and feedback</b></p>	<ul style="list-style-type: none"> <li>• Total duration of roleplay – 52.3% (including final assessment)</li> <li>• Roleplay – 2.8%</li> <li>• Roleplay with Coaching – 19.7%</li> <li>• Roleplay with Feedback – 22.2%</li> <li>• Roleplay (Final Assessment) – 7.4%</li> </ul> <p>As skills are taught, these are shown by ‘doing’, so there is a major focus on roleplaying. The role-playing increases day by day, as trainees become more familiar with each other and more confident with the skills required and comfortable with role playing as the time progresses. Day 2,3 &amp; 4 is mostly role playing. Trainees will support each other by way of acting as co-mediators. This will help them as they are gaining confidence in their skills on the course.</p> <p>Coaching of role plays will steadily increase too. At first, trainees may be self-conscious being watched but they will become quickly used to being observed and will value the coaching. Feedback generally will be delivered at the end of a practice session, but this does not preclude trainees/observers asking for time out during practice time to consult on approaches. Trainees will act as parties as well as mediators which will be a valuable learning experience for them and they will also be encouraged to provide constructive peer feedback and rationale for particular skills selected. Role plays are extremely varied, including pre-litigated and mid-litigation cases, business to business conflict, partnership, personal injury, commercial, neighbourhood to family disputes etc. These are employed as case studies to practice the different stages of the mediation process.</p> <p>Mock assessments are video recorded and provided to trainees for review alongside feedback to assist with their preparation for the final assessment.</p>
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## 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>We send roleplays a week in advance and CI's 10 days before the commencement of our training program.</p> <p>On the list of readings, there is no mandatory pre-reading but optional pre-reading which includes - a list of definitions of mediation from leading organizations and authors from around the world, Spotify podcast links to YCM episodes on mediation, and access to justice and a video on a mock mediation by YCM.</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



<b>Role plays during the course ensure participant work with the widest range of fellow participants as possible</b>	Yes
<b>All participants mediate the same number of times in role plays</b>	Yes
<b>Role plays are varied in subject matter and allow for practice of different stages of the mediation process</b>	Yes
<b>Comment where guidelines are not met</b>	

## 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).

<b>How is performance feedback given to participants on your course?</b>	The participants receive the competency framework in advance and are asked to follow the same while doing roleplays and the trainers and coaches observe the trainees doing roleplays and give their feedback and coaching based on the competency framework. The participants receive feedback after each daily session
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	to feed forward into the next day's training.
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## 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>The course is delivered on Zoom with students keeping their camera on for 100% of the time except in exceptional emergency cases where they can turn their camera off for a couple of minutes for reasons such as network issues or electricity cutoff. The step-by-step guide to log in to zoom is shared with the trainees much in advance. Such guide is a part of a 'Welcome &amp; Orientation Document' circulated to all the trainees prior to the training.</p> <p>We have a google sheet titled 'Ask Anything'. The trainees use this sheet to ask questions and reflect outside of the live training so that no question or reflection goes unaddressed. Trainers will have access to such google sheet to respond to the questions offline or to address the questions the next day of training. This enables collective learning as trainees can also respond with their views to questions asked by their peers.</p>
<p><b>Provisions for participants not able to attend all 40 hours</b></p>	<p>We have 100% attendance criteria and trainees need to attend and participate in each and every session that takes place during the course. However, there are chances that the trainees beyond their control are unable to join and participate in the course.</p>

	<p>In such a scenario:</p> <ul style="list-style-type: none"> <li>• We ask the trainee to formally write to us stating reasons as to why they were unable to attend and if they would like to complete their training.</li> <li>• We will then allow them to sit for our next training course that takes place within the next 3 months. All the details regarding the next course are shared with them so that they can lock their calendars and schedule their plans accordingly. No fee is charged for sitting for the next course except nominal administrative charges.</li> <li>• We also offer to pair them with a buddy i.e., a trainee from their batch or a former YCM certified mediator to keep their interest and support system going.</li> </ul>
<p><b>Preparing the participants</b></p>	<p>All relevant materials are circulated prior to the course: step by step guide to log into zoom, welcome document highlighting and mentioning all the details about the course such as the course guideline, number of hours per day including breaks so that they can plan their day in advance.</p> <p>Participants are invited for an optional demo zoom session before commencement of the training on Zoom.</p>
<p><b>Informal meetings</b></p>	<p>There is a common WhatsApp group for trainees who consent to be a part of it. They are free to connect informally anytime during the course or after that. We also facilitate informal zoom calls for trainees to connect and network with each other. In case of a demand, we can arrange an offline session for distribution of certificates where all participants can meet in person.</p>

<b>Role-plays for post-course assignment</b>	After the online course, the participant must perform an in-person one-hour mediation role-play and submit a self-reflection report along with the video recording of such roleplay plus a short feedback form by the parties to the roleplay. The participants are given a short guide on how to conduct an offline mediation ethically, who can be the parties, a couple of roleplay briefs and which critical parts of a mediation process should be covered (example – opening statement and exploration with the parties).
<b>Written component of post-course assignment</b>	A self-reflection report on the in-person mediation has to be submitted by the participant. Such report must mandatorily explain aspects such as how did they arrange the venue for an in-person mediation including having sufficient rooms, ensure suitable refreshments and useful equipment, the layout of tables and chairs and the seating arrangements, build rapport with parties for an in-person mediation and compare the experience of in-person and online mediation, what is different and how they would adapt from online to in-person.
<b>Feedback on post-course assignment</b>	The participant/trainee receives detailed written feedback on their recorded assessment within 10-21 days from the date of their submission based on the assessment criteria and competency framework.
<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. Formative assessment is conducted throughout by trainers and coaches to enable effective developments of skills throughout the course. Trainees are also encouraged to self-reflect and receive peer feedback from trainees and former YCM certified mediators. There is a one-and-a-half-hour practical simulated role play assessment on the final day. This is assessed by an independent and experienced assessor, using the assessment criteria/competency framework provided on the assessment sheet. The role play is video recorded for moderation purposes and/or for assessment by an assessor.</p>
<p><b>Does your course provide an assessment of a participant's knowledge as a mediator, and if so, how?</b></p>	<p>Yes, the knowledge criteria is assessed through both the practical role play assessment mentioned above and through a written assessment. Both elements of assessment must be passed in order to pass the course. Knowledge of mediation principles, roles and ethics can be and are assessed during the practical element. Knowledge and understanding of negotiation theory and conflict theory are tested through analysis and application questions on the written assignment. The written assignment is to encourage participants to reflect on their skills journey throughout the course and beyond. It is considered essential practice to the development of skills to continuously reflect and participants will be encouraged to adopt this routinely after qualifying as mediators. As participants will be encouraged to complete the skills reflection as homework during the course and to</p>

	<p>ensure timely reflection on the assessment, the submission deadline of the written element will be on the second last day of training i.e., a day prior to their final roleplay assessment. This enables the trainees to revise all the concepts in theory before their practical assessment.</p>
<p><b>Process of appointing assessors on a course</b></p>	<p>Assessors are appointed based on the following criteria:</p> <ul style="list-style-type: none"> <li>• Experienced to senior professional with more than 5 years of mediation experience and</li> <li>• Accredited by renowned organizations such as IMI, SIMI and CMC UK or by Indian government/high court mediation centers, Ministry of Corporate Affairs, Delhi Dispute Resolution Society.</li> </ul>
<p><b>Clarification of passing criteria. How a student passes or fails this program</b></p>	<p>Students must demonstrate successful achievement of the learning outcomes to pass the training course. Assessors are under an obligation to maintain the high standards expected for accreditation as a Civil and Commercial Mediator and must consider how trainees have achieved the expected learning outcomes as detailed on the competency framework. Both the practical and written assessments must be passed which is achieved by a mark of 70% or higher according to the marking criteria. A learner will also have to score at least 50% in each of the competency areas to pass the assessment.</p> <p>The competency framework is the marking criteria and assessors must indicate how each element is achieved. The same framework has a minimum passing criteria and failing criteria for each component. The practical assessment is video recorded for moderation purposes. Both the written and practical elements are subject to moderation and must be</p>

	<p>passed by an assessor who is independent of the training.</p>
<p><b>Next steps taken, should a student fail.</b></p>	<p>Assessors will complete typed written feedback, and this will be sent electronically to the trainee. Full descriptive feedback will be included and will aim for maximum development of the trainee. Criticism will always be constructive and areas of development will be identified. Feedback will clearly inform the trainee how they have not met assessment requirements. There will be a re-assessment fee, but trainees are normally invited to sit the course again for free at least one time (where possible), with a view to helping them to practice their skills up to an adequately high level. If the trainee fails a second time then we will pair them with a former YCM certified mediator for extra support and allow them one more attempt at assessment by paying the assessment fee. Hence, a total of 3 attempts will be allowed to a trainee to clear the course.</p>

## 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>Our program has a unique session on kickstarting your career in mediation where ample opportunities are mentioned from internships to paid jobs with leading mediation organizations. We also award mediation internship opportunities for our top performers and networking opportunities with leading mediators to all.</p>
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	<p>We try to see if the mediators can be empanelled in a YCM university mediation clinic to practice their skills. For YCM trainees, real life or hypothetical co-mediation opportunities with leading and experienced mediators are also explored.</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><b>Attach complaints and appeals policy</b></p>	<p>See Annex YCM – Complaints and Appeals Policy</p>
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### Conflicts of Interest

<p><b>Please outline what steps you take to avoid any potential conflicts of interest between trainer/coaches/assessors and participants on your course.</b></p>	<p>As mediators are independent, and our trainers and assessors are mediators, they are well skilled in maintaining impartiality. Trainers do not conduct assessments to remove the possibility of bias due to the mentoring relationship that may have developed. As assessments are also moderated, this provides an extra layer of security against any conflicts there may be. We aim to pre-empt and eliminate any potential conflicts of interest. Trainee names are provided to anyone involved in the training or assessment of the course, and likewise, their names are provided to trainees. Any prior or current relationship, whether personal or professional must be declared, as must any and all other possible conflicts. This will be incumbent on</p>
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	<p>both trainees (by way of terms on registering for the course) and those involved in the course (by way of terms of engagement) as a double layer of assurance. Failure to declare risks consequences such as assessments having to be assessed by an alternative independent assessor and no further engagement in course delivery/assessment.</p>
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### Trainers, Coaches, and Assessors

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

<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><b>New TCAs are to be observed and given performance feedback by senior colleagues</b></p>	<p>Any new TCAs would be mentored in a buddy system with experienced TCAs. New trainers act as observers/co-trainers with experienced lead trainers and are then observed by lead trainers (who then act as co-trainers). This is to ensure consistency of quality, in both delivery and in formative assessment to develop learning, before acting as lead trainers. The new trainers will receive performance feedback after each daily session to feedforward into the next day's training. For clarity, trainers do not conduct summative assessments due to the potential conflict of interest arising from the close working relationship; this will be conducted by independent assessors.</p>

<b>Explain your peer review system for trainers, coaches and assessors</b>	All trainers are subject to being evaluated by peer review. Peer review is conducted by way of co-training and co-coaching on a regular basis. Lead trainers peer review each other, and external input can be sought from external sources for external moderation. Membership of their respective accreditation organization and YCM assists with continuing professional development.
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