



International Mediation Institute

PROFESSIONAL MEDIATION WORLDWIDE

Promoting Consensus and Access to Justice

www.IMImediation.org

Advance Dispute Resolution Centre PLT

IMI Certified Mediator Training Program

The Organisation

Legal name	ADVANCE DISPUTE RESOLUTION CENTRE PLT
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Program delivery	
Locations and languages	Malaysia, 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	2022, Malaysia
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Training course registered in accordance with jurisdiction requirements	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.

Attach your course outline	See Annex – ADRC Course Outline
Mediation principles - neutrality, voluntary nature, confidentiality, party self-determination, process	Module 1
The roles of legal counsel and representatives	Module 2
Overview of negotiation and conflict resolution theory	Module 1

Mediator ethics, including appropriate local ethical standards	Module 1
Forms of listening skills and communication strategies	Module 1
Process management skills, including the use of joint and private meetings	Module 1
Negotiation strategies and skills to manage the content of the dispute	Module 1
Ways of responding to the diverse behaviours of the parties	Module 1

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 – ADRC 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	40.5 hours
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>	5%

5. Group Size

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

Maximum class size	25
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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>Lecturing, knowledge input, presentation</p>	<p>(1) 10% (2) 1 trainer for 9 participants (3) Each module focuses on a different aspects of mediation. The basic lecture is aimed at giving the participants a preliminary concepts of the topics involved. Total lecture time is approximately 10% of the entire course duration.</p>
<p>Exercises and discussion</p>	<p>(1) 40% (2) 1 trainer for 9 participants (3) These sessions are designed to allow the participants to try out, practice and reflect their newly learned aspects of the mediation. There will be exercises followed by discussions focused mainly on the content of the lecture given on the day. Exercises and discussion make up approximately 40% of the course hours.</p>
<p>Role-playing, coaching, and feedback</p>	<p>(1) 50% (2) 1 trainer/coach for 6 participants (3) During the role-play sessions, participants will be given case studies and the competency framework and guidelines, based on which the trainers can provide feedback to the participants. Feedback can be in the form of group discussion and, if necessary, on a one-on-one basis depending on the individual case of the participant. The role-plays, feedback sessions, coaching and reflection take up about 50% of the course hours.</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>In what format and how far in advance do participants receive general course materials and confidential role play briefs?</p>	<p>We will provide the course materials and confidential role-play briefs to the participants by email at least two (2) weeks ahead of the commencement of the course so that the participants can read the materials before they attend our course. We will also provide a list of textbooks they can read in order to gain further knowledge in mediation-related topics.</p> <p>For now, the text books are as follows:-</p> <p>Bringing Peace Into the Room: How the Personal Qualities of the Mediator Impact the Process of Conflict Resolution 1st Edition</p> <p>by Daniel Bowling (Editor), David Hoffman (Editor)</p> <p>The Mediation Process: Practical Strategies for Resolving Conflict 4th Edition</p> <p>by Christopher W. Moore (Author)</p> <p>Mediating Dangerously: The Frontiers of Conflict Resolution 1st Edition</p> <p>by Kenneth Cloke (Author)</p> <p>Inside Out: How Conflict Professionals Can Use Self-Reflection to Help Their Clients</p> <p>by Gary Friedman (Author)</p>
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	<p>The Mediator's Handbook: Revised & Expanded fourth edition Paperback – Illustrated, October 1, 2012</p> <p>by Dr. Jennifer E. Beer PhD (Author), Caroline C. Packard (Author), Eileen Stief Elizabeth Elwood Gates (Illustrator)</p> <p>Resolving Conflicts at Work: Ten Strategies for Everyone on the Job Paperback – May 24, 2011</p> <p>by Kenneth Cloke (Author), Joan Goldsmith (Author)</p> <p>The Anatomy of Peace: Resolving the Heart of Conflict Paperback – July 13, 2015</p> <p>by The Arbinger Institute (Author)</p> <p>Mastering Mediation: 50 Essential Tools for the Advanced Practitioner</p> <p>by Lynn Duryee (Author), Matt White (Author)</p> <p>Practice and Procedure of Mediation</p> <p>by Harbans Singh K.S (Author)</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.

<p>Each role play in a course has a maximum of six persons for a two party mediation.</p>	<p>Yes</p>
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<p>Mediation time slots within role plays are a minimum of 45 minutes</p>	<p>Yes</p>
<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</p>	<p>Yes</p>
<p>Where role plays are used as assessments, they are supervised by the assessor or a course manager 100% of the role play time</p>	<p>Yes</p>
<p>Coaches are rotated among groups and participants</p>	<p>Yes</p>
<p>Coaches and trainers who coach a participant are not involved in subsequent assessment of that participants</p>	<p>Yes</p>
<p>Role plays during the course ensure participant work with the widest range of fellow participants as possible</p>	<p>Yes</p>

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).

How is performance feedback given to participants on your course?	Yes. Our course does provide feedback to participants during the discussion, mini exercises and role plays based on the competency framework. First, the participants will be continuously evaluated and given feedback throughout Modules 1 2 & 3 of the course based on our competency framework. Our trainers will share and exchange mediation knowledge and feedback with all participants. Participants will also be given the opportunity to provide their personal opinion or understanding of the topics. Secondly, each of the participants will have to participate in role-play sessions, and feedback will be given by the trainer or coach (Module 3) in order to show their learned mediation skills. The participants
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	<p>who pass all three modules will be granted a certificate of completion of the course. In order to qualify for IMI certification as a qualified mediator, the participants are required to record a minimum one-hour mock mediation video acting as a mediator. Our centre will assess their performance based on the video recording. In the interest of fairness and consistency, two (2) assessors will be assigned to assess each mediation recording sent in by the participant. The assessment will be carried out based on the assessment form (attached to this email).</p>
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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).

Course design	<p>Our online course will be delivered on the Zoom platform supplemented by padlet.com, a whiteboard utility platform. Participants will also be added to an email group and a WhatsApp group where they will be informed of the course schedule, and they will be able to download the course materials from padlet.com. The Zoom meeting details will be posted on padlet.com and also on the email and WhatsApp groups. There will be frequent breaks built into the online course. Each online session will not be more than 120 minutes without any breaks in between. Participants will be required to switch on their cameras with their faces visible at all times during the course duration unless they are going into their breaks.</p>
Provisions for participants not able to attend all 40 hours	<p>With the consent of the participants, the online trainer-delivered sessions will be recorded and posted on the padlet.com platform, where participants can download the recordings for those sessions that they</p>

	<p>missed. However, with respect to the trainer-delivered sessions, the missing hours for each participant cannot be more than four (4) hours for the entire course. If the missing hours are more than four (4) hours, our centre may require the participants to re-enroll for another intake, but this will be done on a case-by-case basis. If the online sessions missed by the participants are skilled-related, they will then be required to join a subsequent online skill-related session with another intake/cohort to make up for the missing hours before they can qualify for the certificate of completion. Our trainers will keep track of the attendance of each participant to ensure that the minimum 40 hours for each participant is met in any circumstances.</p>
<p>Preparing the participants</p>	<p>All participants will be provided with the module-based evaluation guideline (as attached in this form), where they will be informed of the basic requirements for the online sessions, such as the minimum equipment list and Zoom and Padlet programs. Our centre will also organise a pre-course online session of thirty (30) minutes to address any technical issues the participants may have. This pre-course online session will be scheduled at least five (5) days before the course commencement date. During the pre-course online session, participants will be briefed again on the basic requirements, such as facial visibility and attendance policy.</p>
<p>Informal meetings</p>	<p>We plan to organise monthly physical sessions in the state of Penang to start with. The sessions will be in the form of sharing of experience by practising mediators and practical mediation skills workshops. The venue of the sessions will be the University of Science Malaysia, our centre's partner public higher learning institution, in the mediation course. As we expand our reach to the other states of Malaysia, we will organise similar sessions in the other states of Malaysia, depending on the demand situation.</p>

Role-plays for post-course assignment	<p>As the course is intended to run 100% online, the process of post-course assignment will be where the participants are required to record a one-hour mock mediation process whereby the participants would be playing the role of the mediator. The participants are required to invite their own actors as parties to mediation. Two (2) assessors will then assess the participants' performance based on the video recording according to the competency framework and assessment standard attached in this form.</p> <p>Our centre will supply role play briefs to the participants. Their recorded video will be retained by our centre for not more than six (6) months and we will seek the consent of the participants to record and share their recordings.</p>
Written component of post-course assignment	<p>All participants are required to send in a post-mediation reflection log where they will record the following information:</p> <p>(1) Their pre-mediation physical venue arrangement (2) Their rapport building experience with the parties (3) Their experience of online mediation and actual in-person mediation</p>
Feedback on post-course assignment	<p>Feedback will be given to the participants based on their pre-recorded mock mediation session. The feedbacks will be based on the competency framework and assessment standard policy (as attached in this form)</p>

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>Does your course provide an assessment of a participant's competence as a mediator, and if so, how is this process undertaken?</p>	<p>Yes. Our course does provide an assessment: First, the participants will be continuously evaluated throughout Module 1 & Module 2 of the course based on our module-based evaluation method (attached in this form). Our trainers will share and exchange mediation knowledge with all participants. Participants will also be given the opportunity to provide their personal opinion or understanding of the topics. Secondly, each of the participants will have to participate in role-play sessions (Module 3) in order to show their learned mediation skills. The participants who passed all three modules will be granted a certificate of completion of the course. In order to qualify for IMI certification as a qualified mediator, the participants are required to record a minimum one-hour mock mediation video acting as a mediator. Our centre will assess their performance based on the video recording. In the interest of fairness and consistency, two (2) assessors will be assigned to assess each mediation recording sent in by the participant. The assessment will be carried out based on the competency framework and assessment standard policy (attached in this form).</p>
<p>Does your course provide an assessment of a participant's knowledge as a mediator, and if so, how?</p>	<p>Yes. Our course does provide an assessment: First, the participants will be continuously evaluated throughout module 1 & module 2 of the course based on our module based evaluation method (attached in this form). Our trainers will share and exchange mediation knowledge with all participants. Participants will also be given opportunity to provide their personal opinion or understanding on the topics. Secondly, each of the participants will have to participate in role play sessions (Module 3) in order to show their learned mediation skills. The participants who passed all three modules will be granted a certificate of completion of</p>

	<p>the course.</p>
<p>Process of appointing assessors on a course</p>	<p>In the appointment of assessors, we take into consideration many factors such as their experience as a mediator, their teaching experience, their soft skills in human interaction, ability to provide constructive feedback and intercultural exposure to understand people from different cultures. We also work closely with University of Science Malaysia, whereby the University will recommend suitable candidates for assessors from their list of approved lecturers in the respective fields.</p> <p>We will require all appointed assessors to be registered with at least one (1) internationally recognised mediation institution or one (1) domestic mediation body. For example, one (1) international mediation body (ie. IMI, AIAC or Clarb) or one (1) local mediation body (Malaysian International Mediation Council under Bar Council, Malaysia). On top of the membership requirement, we also require the assessors to have at least three (3) years mediation experience and perform at least four (4) mediations (4 hours each) in each of the preceding three (3) years prior to their appointment as assessor. Lastly, we will also require all assessors to go through our in-house train-the trainer course (developed jointly with University of Sains Malaysia) which will cover the assessment procedure and criteria.</p> <p>We will request for membership certificates from the prospective assessors and conduct our own online background search with the relevant mediation institutions. As for mediation experience, we will ask the potential</p>

	assessors to show proof of their experience ie. mediation brief, client acknowledgment, reflection log etc.
Clarification of passing criteria. How a student passes or fails this program	The assessment process will be divided into two phases. The first phase is an evaluation of the participants' competency throughout the course duration. Using discussion and exercise methods, the participants' knowledge of the mediation process will be assessed continually throughout the course and the participants must achieve at least the grade of 'satisfactory' in all topics in Module 1, 2 & 3 in order to pass the course. Upon completion of the 40 hours online mediation course, successful candidates will be issued a certificate of completion. In order to apply for International Mediation Institute (IMI) certification, candidates will then proceed to the 2nd phase. The 2nd phase consists of the candidates' video recording a minimum one-hour mock mediation process to be sent to ADRC for final assessment. Please refer to (1) the competency framework and assessment standard policy and (2) the module-based evaluation method (both documents attached in this form).
Next steps taken, should a student fail.	There will be a continual discussion on a one-on-one basis with the participant if a participant fails to meet our expectations. We will provide options for further training and supervision for the participants. The participant, who fails to meet our expectations, will be informed of their progress at an early stage so that remedial action/options can be explored.

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>We are partnering with the University of Science Malaysia to offer a wide range of mediation-related trainings and workshops. We will also work with local partners such as schools, community service centres and other non-governmental organisations to provide pro-bono mediation opportunities for our participants.</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 Annex – ADRC Complaints & Appeals Policy</p>
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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>To avoid any conflict of interest between TCA and the participants, our internal procedures establish the following steps:-</p> <p>(1) Each participant is interviewed in advance before he or she is accepted into the course. During the initial interview, we will highlight our TCAs of the course and ask the participant to confirm if the participant has had any previous dealings with any of the course teaching team.</p> <p>(2) If a conflict of interest is identified with an Assessor, a new Assessor would be</p>
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	<p>appointed.</p> <p>(3) External assessors are reminded of their duty to inform the centre promptly upon the identification of a conflict of interest. Where an external assessor identifies a conflict of interest that relates to a participant, the centre will make alternative arrangements for the assessment of the participant(s).</p> <p>(4) On the pre-recorded role-play assessment, we would have two assessors assessing the performance independently. The assessors will be made known to the participants, and if there is any conflict of interest, the assessor will be changed.</p>
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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>New TCAs are to be observed and given performance feedback by senior colleagues</p>	<p>As in line with our centre's policy, all new TCAs are observed by the chief executive officer of our centre during the course of their first training sessions, with participants' feedback sought and reviewed.</p>
<p>Explain your peer review system for trainers, coaches and assessors</p>	<p>Our chief executive officer will regularly observe the training sessions and will obtain feedback from the participants on the performance of TCAs. Suggestions for improvements will be made by the CEO to the TCAs.</p> <p>We provide additional training, online meetings and intercollegiate training to our TCAs in partnership with the University of Sains Malaysia. We regularly schedule team meetings and internal training seminars or webinars.</p> <p>We also review and reflect on the feedback obtained from the participants.</p>