



International Mediation Institute

PROFESSIONAL MEDIATION WORLDWIDE

Promoting Consensus and Access to Justice

www.IMImediation.org

Crowther Mediation

IMI Certified Mediator Training Program

The Organisation

Legal name	Crowther Mediation
Contact details	St Peters Gate, Charles Street, Sunderland SR6 0AN. Tel: 0330 390 3398 enquiries@crowthermediation.co.uk
Website	www.crowthermediation.co.uk
Person completing application	Nicola Crowther, Senior Mediator/Director 0330 390 3398
Program delivery	
Locations and languages	

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	2014 UK Law
Training course registered in accordance with jurisdiction requirements	Yes

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 Crowther Mediation – Course Outline attached.
Mediation principles - neutrality, voluntary nature, confidentiality, party self-determination, process	The core principles and the mediation process are covered in day one of the programme and further details can be found in section two of the training manual.
The roles of legal counsel and representatives	Section two of the training manual covers the role of legal counsel/representatives under - types of ADR and where civil mediation fits in, the history of civil mediation and recent developments, definition of mediation and the mediation process. This section of the course is covered on day one of the course.
Overview of negotiation and conflict resolution theory	Section four of the training manual covers 'Negotiations in Mediation' and addresses the following topics: <ul style="list-style-type: none"> • Problem solving mode • BATNA, RATNA, WATNA • ZOPA • Coming to the balcony

	<ul style="list-style-type: none"> • Moving passed Impasse <p>Section five of the training manual covers 'Addressing high conflict case and power imbalances':</p> <ul style="list-style-type: none"> • Psychology of conflict • Threats of Violence • Conflict management • Danger signs • Sphere of Conflict <p>These elements are covered on day three of the course.</p>
<p>Mediator ethics, including appropriate local ethical standards</p>	<p>All delegates are given a copy of the European Code of Conduct for Mediators</p> <p>Section six of the training manual covers Equality and Diversity:</p> <ul style="list-style-type: none"> • What is Equality and Diversity? • The Equality Act 2010 • Self-awareness: Unconscious Bias and Conscious Bias <p>This topic is covered on day four of the course.</p>
<p>Forms of listening skills and communication strategies</p>	<p>Section three of the training manual deals with mediation skills:</p> <ul style="list-style-type: none"> • Active listening and hearing, • Body language • Indirect and direct body language • Helping parties to hear • Questioning • Summarising • Acknowledging

	<ul style="list-style-type: none"> • Mutualising • Re-framing • Managing conflict and the expression of emotions • Managing the process • Lateral Thinking • Encouraging Problem Solving • Centring • Constructive Facilitation <p>This topic is covered on day two of the course.</p>
Process management skills, including the use of joint and private meetings	<p>Section one of the training manual covers the mediation process and types of dispute resolution. This topic is covered on day one of the course.</p>
Negotiation strategies and skills to manage the content of the dispute	<p>Section four of the manual covers negotiation strategies and this topic is covered on day three of the course:</p> <ul style="list-style-type: none"> • Problem solving mode • BATNA, RATNA, WATNA • ZOPA • Coming to the balcony • Moving passed Impasse
Ways of responding to the diverse behaviours of the parties	<p>Section five of the manual addresses power imbalances and how to address them. Section six of the manual deals with diversity within mediation. These elements are taught on day three and four of the course.</p>

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 Crowther Mediation – Competency Framework attached.
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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 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>	None of the course is delivered via asynchronous learning.

5. Group Size

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

Maximum class size	12 delegates. With a trainer: delegate ratio of 1:6.
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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.

<p>In what format and how far in advance do participants receive general course materials and confidential role play briefs?</p>	<p>Participants will receive the course manual and handouts immediately upon payment for the course, which should not be less than 7 days prior to the commencement of the course.</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>
<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</p>	<p>Yes.</p>

course manager 100% of the role play time	
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	
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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?	Feedback is given by peers and trainers using the role play feedback document. The document also requires the 'mediator' to provide some self-reflection and assessment. Feedback is given the same day, allowing the delegate to reflect and develop throughout the course.
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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	Online training is delivered by Zoom video conferencing, allowing delegates to see and hear each other. The online conferencing facility also allows for screen sharing (for slides, handouts, course materials etc) and break out rooms for working in pairs or small groups. Delegates can use the emoji icons to raise their hands or praise other delegates. There is also a
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	<p>chat facility, allowing delegates to share questions or comments in a nonverbal way, should they so wish.</p> <p>All delegates are expected to leave their cameras on for the duration of the training so they can be seen by trainers and other delegates. This is not only to ensure attendance and engagement, but to monitor body language and facial expressions during role plays.</p> <p>Delegates are asked to mute themselves during lectures, to reduce background noise and distractions, with a view to optimising learning. However, they can 'unmute' themselves for group discussions and roleplays.</p> <p>During breaks, delegates are welcome to turn off their camera and microphone, but the Zoom call will remain live for those delegates who wish to share their breaks with other delegates, building rapport and sharing experiences, in line with the opportunities afforded to those delegates training in person.</p>
<p>Provisions for participants not able to attend all 40 hours</p>	<p>Depending on the amount of hours missed, those participants will be given an opportunity to complete the sections they missed at a further training session, with a reduced fee. This is entirely discretionary, and each case will be dealt with on merit.</p>
<p>Preparing the participants</p>	<p>Delegates taking part in an online training course will be given advance notice of the training platform being used. They will be emailed joining instructions and a link. Any delegate who is unfamiliar with Zoom has the opportunity to contact our admin team in advance of the mediation training, to raise any questions or address any issues.</p>

	<p>Delegates signing up to an online course will be made aware of the need to provide their own hardware e.g. laptop, tablet, before payment is taken for the course.</p> <p>Delegates are also made aware of the need to be in a suitable, quiet and confidential space where no one else can hear the group discussions and there are no distractions.</p>
Informal meetings	<p>Informal discussions can take place on a one-to-one basis or in a group in a breakout room if needed.</p>
Role-plays for post-course assignment	<p>For the avoidance of doubt, all delegates will complete an in-person role-play assessment lasting one hour at the conclusion of the foundation training. Regardless of whether the foundation training was done online or in person.</p>
Written component of post-course assignment	<p>All online delegates will be asked to complete a written essay answering each of the bullet points above in no more than 200 words each.</p> <p>Similarly, delegates training in person will also be asked for written submissions explaining how they would:</p> <p>Build rapport with parties for an online mediation</p> <p>Compare the experience of in-person and online mediation, what is different and how they would adapt from online to in-person and vice versa.</p>
Feedback on post-course assignment	<p>Written feedback and details of course outcome are emailed to delegates.</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>There is a one hour, in person, recorded role play, which is independently assessed. The delegates are provided with a copy of the assessment criteria, prior to the assessment taking place.</p>
<p>Does your course provide an assessment of a participant's knowledge as a mediator, and if so, how?</p>	<p>Participants are asked to complete a mid-course assessment, delivering a competent opening statement setting out the principles of mediation and the processes.</p>
<p>Process of appointing assessors on a course</p>	<p>Our independent assessor has a wealth of experience in training and practice. She has been approved by the Civil Mediation Council UK to independently assess our courses.</p> <p>Assessors are appointed based on their qualifications and experience in practice. Assessors must have been accredited with CMC or other recognised qualifying agency for at least three years, during which time they should have met with the agency's qualifying criteria.</p> <p>Assessors will also have conducted at least 40 hours of mediation practice per annum for the three consecutive years prior to appointment.</p>

	Assessors are provided with the required information relating to their role e.g. assessment criteria
Clarification of passing criteria. How a student passes or fails this program	Each delegate must competently display at least ten mediation skills (set out in the assessment criteria) including observing and maintaining the principles and process of mediation during their role play assessment.
Next steps taken, should a student fail.	Participants will be invited to 're-sit' the assessment element of the course.

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.

Indicate what your organisation does to facilitate participants' development as mediators	Delegates are sign posted to organisations who provide observations and mock mediations e.g. YMI. We have also established a student mediation practice within a university for students to develop their practice with real mediation sessions. We plan to emulate this in other universities across the globe.
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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>Civil Mediation Training Complaints Process - Nicola Crowther.docx, Civil Mediation Training Appeals Process - Nicola Crowther.docx</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>Our assessments are undertaken by an independent assessor. Names of delegates are shared with the assessor so we can identify any areas of conflict.</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>Comments and/or explanations</p>	
<p>New TCAs are to be observed and given performance feedback by senior colleagues</p>	<p>In order to achieve and maintain 'best practice', all TCAs are observed annually and given verbal and written feedback. New TCAs are observed by senior colleagues.</p>
<p>Explain your peer review system for trainers, coaches and assessors</p>	<p>In order to achieve and maintain 'best practice' ALL TCAs are observed annually and given verbal and written feedback.</p>