

WILLMINDS ACCREDITED MEDIATION TRAINING AND ASSESSMENT COMPETENCY FRAMEWORK

The core competencies of an effective Mediator gained throughout the program include:

Competency 1: Mediation Process Knowledge

- Demonstrating knowledge of the benefits of mediation, its applications, and how to prepare for it.
- Demonstrating a comprehensive understanding of the mediation process, including its principles, phases (pre-mediation, opening phase, exploration phase, negotiation phase, and concluding phase), styles, and methodologies.
- Applying knowledge of different types of mediation, such as voluntary, contractual, judicial, and various methods like in-person, remote, shuttle, and co-mediation.
- Understanding the distinct roles and contributions of the various stakeholders in the mediation process.
- Demonstrating knowledge of how each stakeholder's involvement impacts the mediation dynamics and outcomes.

Measurement: Modules 1, 2 and 5.

Discussions, exercises, and written assignment to test participants' knowledge of mediation principles, processes, and legal frameworks.

Competency 2: Mediation Techniques and Facilitation Skills

- Possessing a broad range of mediation techniques including storytelling, caucus usage, reality testing, and option generation.
- Effectively facilitating the mediation process, managing time, agendas, note taking, usage of visual aids, and mediating joint and private meetings.
- Understanding when and how best to use the various techniques and tools in mediation.

Measurement: Modules 5 and 18.

Role-plays, exercises, discussions, and practical assessments to evaluate participants' management of the mediation process, including pre-mediation preparation, scheduling, mediating, and maintaining process control during sessions.

Competency 3: Effective Communication Skills

- Demonstrating excellent verbal and non-verbal communication skills, including active listening, effective questioning, reframing, and body language.
- Fostering an open and non-judgmental environment to encourage productive dialogue between disputing parties while ensuring clarity and the understanding of the perspectives and interests of all stakeholders.
- Tailoring communication strategies to suit diverse participants, cultures, and communication preferences.

Measurement: Module 4 (Part I)

Practical exercises and assessments, including role-plays and simulated mediation sessions, where participants demonstrate effective communication, active listening, and rapport-building with parties.

Competency 4: Negotiation and Conflict Resolution Theories and Skills

- Analyzing conflicts effectively, identifying sources, interests, and dynamics to develop tailored problem-solving strategies.
- Demonstrating proficiency in managing high-conflict situations and de-escalating tensions.
- Developing effective negotiation skills to manage the content of the dispute.
- Collaborating with lawyers and parties to identify common goals, facilitate constructive negotiations, and guide advocacy efforts.
- Utilizing the various models of conflict resolution and negotiation techniques to facilitate fair, creative, sustainable, and mutually beneficial agreements.
- Supporting parties in expressing their interests and needs while maintaining the mediator's neutral stance and preserving the integrity of the mediation process.

Measurement: Modules 3 and 4 (Part III).

Practical exercises involving the analysis of conflict scenarios, identification of underlying issues, and proposal of appropriate resolution strategies.

Role-plays and case studies to assess participants' ability to facilitate negotiations, guide parties toward solutions, and overcome impasses.

Competency 5: Emotional Intelligence and Intercultural Skills

- Demonstrating high emotional intelligence, recognizing and managing emotions throughout the mediation process.
- Creating a supportive and empathetic atmosphere to build trust and rapport with parties and to understand their emotional needs and perspectives.
- Navigating emotionally charged situations with empathy and responding to the diverse behaviors of the parties while maintaining neutrality and impartiality.
- Embracing social and cultural awareness and understanding the impact of social and cultural differences in mediation.
- Recognizing and respecting these differences, and adapting mediation approaches to suit diverse participants' backgrounds and values.
- Ensuring inclusivity in mediation practices and decision-making.

Measurement: Module 4 (Part II).

Case analysis, practical exercises, and simulated sessions demonstrating the ability to manage emotions and respond to the various behaviors of the parties.

Competency 6: Local and International Mediation Frameworks

- Demonstrating familiarity with local and international mediation frameworks, including jurisdictional challenges and cultural sensitivities.
- Navigating legal complexities in international mediation scenarios.
- Handling cross-border disputes effectively, considering different legal systems and international regulations.

Measurement: Modules 11 and 12.

Legal research and group assignment on relevant laws and regulations, and scenarios that test understanding of legal frameworks.

Competency 7: Challenges, Contexts, and Ethics in Mediation

- Upholding general ethical standards in the mediation practice and specific ethical standards existing in the MENA region.
- Demonstrating professionalism, integrity, and confidentiality in all aspects of the mediation process.
- Handling ethical dilemmas, maintaining neutrality, avoiding and managing conflicts of interests throughout the entire process.
- Navigating multi-issues with sensitivity to diverse perspectives and thinking innovation in dispute resolution.

Measurement: Modules 14, 16 and 17.

Scenario-based exercises and case studies that require participants to make ethical decisions and adhere to professional codes of conduct.

Discussions, role-plays, and practical exercises demonstrating an understanding of social and cultural dimensions and the ability to navigate diverse contexts in mediation.

Competency 8: Mediation Practice Areas

- Demonstrating specialized knowledge in various mediation practice areas, such as commercial, family, community, and workplace disputes.
- Understanding the unique considerations and legal frameworks relevant to each practice area.
- Familiarization with cross-borders disputes and navigating multi-party mediation.
- Understanding the importance of mediation in Anti-Corruption and applying the appropriate contextual choices and elective procedures of mediation in Anti-Corruption cases.

Measurement: Modules 6, 7, 8, 9, 10, 13 and 15.

Case studies, role-plays, and practical assessments specific to each context to evaluate participants' ability to apply mediation principles in various settings.

Participants will be introduced, at the end of the course, to the opportunities of continuous learning and professional development in order to stay updated on mediation trends and best practices, and engage in practical experience through mock sessions, role-plays, and real-world mediation cases to refine their mediation skills.

PERFORMANCE ASSESSMENT CRITERIA

Participants must meet particular performance requirements and specific competence as a mediator in order to achieve accreditation. Evaluation criteria include:

- **Course Attendance and Participation (10%):** participants are required to attend all sessions punctually, actively engage in general and group discussions, exercises and role-plays, and demonstrate a high level of commitment to the program.
- **Written Assignment (30%):** participants are required to submit a written assignment that analyze mediation scenarios, discuss mediation strategies, or reflect on their mediation experiences. This assignment assesses the participant's theoretical knowledge of mediation principles.

- **Weekly Reflection Logs (20%):** participants are asked to submit a reflection log at the end of each week that allows them to evaluate their own performance and growth throughout the program. This self-reflection helps them to assess their own mediation skills, identify areas for improvement, and demonstrate an understanding of their strengths and weaknesses as mediators.
- **Final Mediation Assessment (40%):** participants are asked to mediate a real mediation session while being observed by assessors. This assessment focuses on the participants' application of all competencies in a practical setting.

PERFORMANCE ASSESSMENT GRADING SCALE

The grading scale used to assess and evaluate the performance of participants, including their knowledge and understanding of mediation, practical skills, engagement in the course, and ability to reflect on their learning experience, include the following:

Course Attendance and Participation: 10%

- **Very Good: 8-10**
The participant demonstrated commitment to the course. They have consistently attended sessions, actively engaged in discussions, contributed valuable insights, and actively participated in exercises.
- **Satisfactory: 5-7**
The participant attended most sessions and was generally involved in course activities. While their attendance and participation are satisfactory, their contributions may not have been outstanding.
- **Needs Improvement: 2-4**
The participant had inconsistent attendance or limited participation. They either missed multiple sessions or contributed very little to the discussions and activities.
- **Poor: 0-1**
The participant either rarely attended sessions or participated in a passive manner. Their attendance and contributions have been minimal, which hinders their learning experience and engagement with the course content.

Weekly Reflection Logs: 20%

- **Very Good: 16-20**
The reflection logs are thoughtful, insightful, and show an understanding of personal growth and learning throughout the course.
- **Satisfactory: 13-15**
The reflection logs demonstrate good self-awareness and provide insight into the participant's learning journey, but they could be more comprehensive and introspective.
- **Needs Improvement: 9-12**
The reflection logs lack depth and provide minimal insight into the participant's learning and development.
- **Poor: 0-8**
The reflection logs are incomplete or lack or inadequately reflect the participant's learning journey.

Written Assignment: 30%

The Written Assignment is graded according to the “*Mediation Written Assignment Grading*” form. Criteria of grading are as follows:

- Content 40%
- Organization 20%
- Critical Thinking 20%
- Clarity and Expressions 10%
- References and Citations 10%

Final Mediation Assessment: 40%

The Final Mediation Assessment is graded according to the “*Mediation Oral Assessment Grading*” form with a rating scale for each of the 3 criteria, developed to cover the above competencies. Each of the 3 criteria includes several factors as follows:

Criteria 1 Communication Skills (30%)

- Presentation & Awareness (10%)
- Building Trust & Rapport (20%)

Criteria 2 Process Skills (30%)

- Developing Understanding (10%)
- Questioning Skills (10%)
- Negotiation Skills (10%)

Criteria 3 Managing the Mediation (40%)

- Setting the Tone: Mediator’s Opening Statement (10%)
- Maintaining Control of the Process (10%)
- Appropriate Management of the Process (20%)

PASSING/FAILING GRADE

The passing grade for the Willminds Accredited Mediation Training and Assessment represents the minimum level of performance required for participants to successfully complete the course.

It is determined as follows:

A = 90 – 100 B = 80 – 89 C = 70 – 79 D = 60 – 69 F = below 60

Considering the suggested breakdown above:

- A passing grade of **60/100 or higher** (D and above) would indicate successful completion of the course (the final grade is the total sum of the grades related to the passing criteria mentioned above and calculated based on their percentage consideration).
- Grades **below 60** would be considered as **not passing**, and participants may need to retake the course or fulfill additional requirements for completion.

Thus, if a participant performs below the passing grade and does not complete all required components of the program, they may fail to pass. In addition, serious ethical violations, such as academic dishonesty or unethical behavior in mediation simulations, may lead to a failing grade.