



International Mediation Institute

PROFESSIONAL MEDIATION WORLDWIDE

Promoting Consensus and Access to Justice

www.IMImediation.org

Nigerian Institute of Chartered Arbitrators (NICArb)

IMI Certified Mediator Training Program

The Organisation

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| Legal name | Nigerian Institute of Chartered Arbitrators |
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| Website | IMI Certified Mediator Training Program |
| Person completing application | Foluke Akinmoladun, Consultant to NICArb, Trainer for CMTP and Arbitration training at NICArb, +2348186691813 |
| Program delivery | The Program and its assessment may be delivered in person, online or a mix of both |
| Locations and languages | Nigeria, English language is the language of instruction. |

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.

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| Year formed, and under laws of what country/ies | 1979, in Nigeria |
| Training course registered in accordance with jurisdiction requirements | Not required as per Nigerian jurisdictional requirements. |

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.

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| Attach your course outline | See NICArb – Annex Course Outline. |
| Mediation principles - neutrality, voluntary nature, confidentiality, party self-determination, process | Covered on Day 1 of the NICArb's Programme under Introduction to Mediation Types and Types of Mediation and Day 2 under International Commercial Mediation. |
| The roles of legal counsel and representatives | Covered on Day 4 of NICArb's Programme under the Role of Legal Counsel and Representatives |

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| Overview of negotiation and conflict resolution theory | Covered on Day 1 of NICArb's Programme under Conflict Resolution and Practice and The Dynamics of Negotiation. |
| Mediator ethics, including appropriate local ethical standards | Covered on Day 2 of NICArb's Programme under Ethical Standards for Mediators. |
| Forms of listening skills and communication strategies | Covered on Day 4 of NICArb's Programme under Communication Skills |
| Process management skills, including the use of joint and private meetings | Covered on Day 4 under Rephrasing Exercise, Day 5 under Caucusing and Caucusing Practicals, including but not limited to the use of joint and private meetings, are. |
| Negotiation strategies and skills to manage the content of the dispute | Covered on Day 3 under Negotiation Strategies and Emotional Intelligence. |
| Ways of responding to the diverse behaviours of the parties | Covered on Day 3 of NICArb's Programme under Breaking Down the Mediation Process and Mediation Process Practical Advocacy (Questioning Skills) Working with the Parties to Reach a Mediated Settlement. |

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.

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| Attach competency framework | See NICArb - Annex 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.

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| 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> | <p>We have a hybrid process where the participants participate online and physically simultaneously. This is to accommodate both online and in person participants.</p> <p>The Institute's mediation training is 100% synchronous. But note, that where we want to include unsynchronous element, it is not more than 10% of the entire training period.</p> |

5. Group Size

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

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| Maximum class size | 24 participants |
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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.

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| Lecturing, knowledge input, presentation | 1. Lecturing, knowledge input, presentation – Percentage time - 20% The maximum trainer to participant – 11 |
| Exercises and discussion | 2. Exercise and Discussion – Percentage time - 30% The maximum trainer to participant – 8 |
| Role-playing, coaching, and feedback | 3. Role-playing, coaching, and feedback Percentage time- 50% The maximum trainer to participant – 8 |

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.

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| <p>In what format and how far in advance do participants receive general course materials and confidential role play briefs?</p> | <p>Once payment is made by the participant, all course material and role play briefs are sent to the intending participant. Thus, if payment is received two months earlier, materials are sent and up to one week prior to the training to enable participants to undertake personal readings/study ahead.</p> <p>Our course materials include:</p> <ol style="list-style-type: none"> 1) The Arbitration and Mediation Act 2023 2) The Singapore Convention on Mediation 2021 3) The UNCITRAL Model Law on International Commercial Mediation 2018 4) UNCITRAL Mediation Rules 5) NICArb Training handbook 6) ICSID 2020 Rules |
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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.

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| <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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| 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 |
| Role plays during the course ensure participant work with the widest range of fellow participants as possible | Yes |

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| All participants mediate the same number of times in role plays | Yes - At times some participants are more knowledgeable in mediation than others and may be given opportunities to partake in more role plays for the sole purpose of helping others understand the process |
| 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).

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| How is performance feedback given to participants on your course? | They are assessed and thereafter participants are informed as to their performance individually. While prior written assignments/group work are done through group discussion. In addition, during group exercises, feedback is provided by the Trainer/Assessor. |
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| Attach course feedback forms or guidance | See NICArb - Annex Evaluation of a Trainee by a Coach and NICArb - Annex Evaluation of a Trainee by an Assessor. |
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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).

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| Course design | <p>We use Zoom platform and also have three different network providers to ensure there is hitch free network downtime.</p> <p>Facilitators ask questions on the topic during the session to enable the participants to follow through.</p> <p>A WhatsApp group is created for the programme to communicate all vital information through the platform and also via email</p> <p>The course programme and slides are shared via email and WhatsApp to enable the participants to follow the training effectively.</p> |
| Provisions for participants not able to attend all 40 hours | They are advised to retake the whole course at a reduced fee. The fee being paid depends on the number of course(s) missed. |

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| Preparing the participants | By making sure that we have a strong network from our end; while participants and trainers are strongly encouraged to have a strong network from their end with additional backups. |
| Informal meetings | We create WhatsApp groups for interactions; and get participants to interact with one another during lunch and tea breaks and through group work as the training progresses. |
| Role-plays for post-course assignment | Participants are assigned roles as a party, mediator or party representative. They are then given the case study before the class to prepare for their various roles. The assessor then assesses the participants to check their understanding of the mediation process. |
| Written component of post-course assignment | There is an assignment for drafting of the terms of settlement that must be submitted within a week after the training based on a case study that would have been discussed at the training. |
| Feedback on post-course assignment | We get to call them back if they do not do well, highlighting their areas of weaknesses and encouraging them to work on same and resubmit. |
| Supporting documents | |

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.

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| Does your course provide an assessment of a participant's competence as a mediator, and if so, how is this process undertaken? | There is an assessment for the participant's competence and this is taken as the lecturer trains and the assessment is done during the training. |
| Does your course provide an assessment of a participant's knowledge as a mediator, and if so, how? | Yes, it does. The assessment is done through the role plays, individual contribution/activeness and the written assignments. |
| Process of appointing assessors on a course | <p>Instructors, coaches, and assessors each have distinct roles within the faculty. The training is structured around three distinct groups: instructors, coaches, and assessors.</p> <ul style="list-style-type: none"> - Instructors are responsible for delivering the teaching components of the training. - Coaches will oversee and facilitate the practical sessions, guiding participants during hands-on activities. - Assessors are tasked with evaluating and grading participants based on their performance throughout the |

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| Clarification of passing criteria. How a student passes or fails this program | The pass mark is 50%. This includes class participation, role plays and the written assignment after the training. |
| Next steps taken, should a student fail. | The pass mark for the program is 50%. Participants scoring between 40% and 49% are required to complete one additional coaching day and two assessment days. Those scoring below 40% should be advised to retake the entire 6-day program. |
| Policy documents relating to assessment (optional / if applicable) | See NICArb – Annex Policy on Trainee Mediators. |

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.

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| Indicate what your organisation does to facilitate participants' development as mediators | We hold periodic webinars and in person seminars under our continuing learning developments for mediators and attendance is mandatory with the issue of CLD credits by the Institute. |
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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.

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| Attach complaints and appeals policy | See NICarb – Annex Complaints and Appeals Policy. |
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Conflicts of Interest

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| Please outline what steps you take to avoid any potential conflicts of interest between trainer/coaches/assessors and participants on your course. | <p>We normally do not allow trainers/ coaches/ assessors to share their contact details with participants, and they are formally notified accordingly.</p> <p>We do not also add the trainees/coaches/assessors to the WhatsApp groups.</p> |
| Upload conflicts of interest policy (optional / if applicable) | |

Trainers, Coaches, and Assessors

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| Anyone seeking to act as a TCA has successfully participated in a mediation training course which meets the requirements set out above. | Yes |
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| Where mediator registration is required in a jurisdiction, trainers, coaches and assessors are registered as mediators. | Not Applicable |
| TCA's 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. | Yes |
| Trainers attend 'train the trainer' training of at least 18 hours, broadly covering topics set out in the IMI guidance notes | Yes. See NICArb - Annex Mediation Training of Trainers (TOT) Programme Syllabus. |
| Coaches and assessors undertake a course broadly covering topics set out in the IMI guidance notes | Yes |

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| Trainers deliver at least one basic mediator skills training course or refresher course every two years | Yes |
| Coaches and assessors coach and/or assess at least four role play sessions over the course of two years. | Yes |
| On-going feedback is sought from course participants, and given to those delivering the course. | Yes |
| Comments and/or explanations | Our mediators are certified by our Institute, while some of them possesses additional certification from CEDR, and other mediation training provider in Nigeria. In addition to this background, we look forward to some of our mediators undertaking refresher courses with IMI in the very near future. We presently have skilled mediators in our Faculty who serve as trainers, coaches and some that can serve as assessors. |
| New TCAs are to be observed and given performance feedback by senior colleagues | This is incorporated into our mediation training. It is essential to conduct performance reviews to ensure that feedback is provided to trainers, coaches, and assessors after each session. This practice is crucial |

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| | for maintaining quality control and upholding standards. |
| Explain your peer review system for trainers, coaches and assessors | <p>The peer review system in the Train-the-Trainer programme involves participants evaluating themselves based on predetermined criteria.</p> <ul style="list-style-type: none"> - Trainers are reviewed on their ability to teach mediation theory, demonstrate practical skills, and engage participants. - Coaches are assessed on how well they facilitate practice sessions, provide feedback, and guide participants through realistic mediation scenarios. - Assessors are evaluated on their fairness, objectivity, and the quality of feedback during participant evaluations. <p>See NICArb - Annex Mediation Training of Trainers (TOT) Programme Syllabus.</p> |
| Attach Train-the-Trainer Program | See NICArb - Annex Mediation Training of Trainers (TOT) Programme Syllabus. |
| Attach template feedback form | See NICArb - Annex MST Feedback Form. |