

## **Mediation Theory and Practice – Outline**

Eight Day Training Course

Updated July 2024





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### AIM:

- 'To enhance participants' understanding of conflict and ways of addressing it'
- To impart basic skills for mediation: Understanding the basic mediation process and when to use it: And opportunities to practice the use of skills and strategies for intervention in two-party disputes.

This course is designed to be delivered over eight days (9:30 am – 4:30 pm), preferably one day a week to allow for reflection, observation, practice and rest between sessions.

Day	Theme
1	Introduction to Conflict; Conflict Skills; Conflict Styles; Different Experiences & Approaches to Conflict
2	Conflict Processes including Negotiation Theory & Skills; Mediation Theory; Mediation Overview; Types of Mediation and Cases
3	Preparation Skills; Shared Dialogue skills; Shared Dialogue Skills & Theory of final Stages; Roles
4	How mediators work and values; Debrief Preparation Stages; Skills Work
5	Debrief Shared Dialogue; Biology & Psychology; Shared Dialogue Skills; Behaviour & Issues
6	1 <sup>st</sup> Assessed Skills Practice x 4
7	2 <sup>nd</sup> Assessed Skills Practice x 4
8	Additional skills work; Good Practice and skills; Reflective Practice; Closing off, next steps and Ending Group

The course is designed for a group of c16 participants with two trainers. If the group is larger or smaller than the projected size, some exercises may need to be modified or may take longer or shorter than anticipated in the outline.

### Equipment and Materials Needed:

PowerPoint

Flip-chart

Markers and Masking tape

Folders for each participant containing:

- Portfolio



- MNI info
- OCN application & complaints
- Book list

Handouts (see note in daily programmes for ones required during sessions)

Extra pencils or pens

Individual notebooks (with easily detachable pages)

## Open College Network Assessment

### Level 3, 8 credits

Learning Outcomes	Assessment Criteria	Evidence
1. Understand conflict and associated behaviour	1.1. Summarise what is meant by conflict 1.2. Analyse conflict behaviour. 1.3. Explain different styles of conflict and how they may relate to own behaviour.	1.1 Give a definition of 'conflict', in your own words 1.2 Using the Conflict Puzzle headings provided below – describe the 4 components of a conflict that involved you. You are required to complete a table for yourself and a table for one other party to the conflict: 1.3 Describe the 5 conflict styles. Name your most frequently adopted style(s) and give an example of when you used that. Name the style(s) you find most difficult to encounter in an interaction with another person and explain why.
2. Understand and apply conflict strategies.	2.1. Explain different conflict strategies. 2.2. Analyse a given conflict situation. 2.3. Develop and apply an appropriate action plan to address the conflict situation analysed in AC 2.2.	2.1 Explain different conflict strategies <ul style="list-style-type: none"> <li>Describe mediation</li> <li>Explain negotiation theory</li> <li>Explain the basic constructs of a negotiated agreement or settlement</li> </ul> 2.2 Analyse conflict situation and plan roleplay practice <ul style="list-style-type: none"> <li>Develop a plan to address the two-party mediation scenario</li> </ul> 2.3. Undertake mediation <ul style="list-style-type: none"> <li>Apply plan in a roleplay mediation</li> <li>Write up potential mediation agreement based on content of role-play</li> <li>Assessor Observation</li> </ul>
3. Understand two-party mediation.	3.1. Summarise different types of two-party mediation. 3.2. Evaluate the action plan applied in A.C. 2.3. identifying good practice and areas for improvement.	3.1 Summarise different types of mediation 3.2 Self Assessment Form to include: <ul style="list-style-type: none"> <li>D3. Give one or two examples of how learning from the course has led to changes in their behaviour/approach while playing the role of the mediator</li> <li>D4. Comment on specific feedback received during the course (from colleagues and/or trainers)</li> <li>D5. Identify any relevant ethical issues that might have arisen in this case</li> <li>D6. Identify any biases and practices from current and previous personal and professional experience that might have come up for them in this case.</li> <li>Summarise the importance of mediator's self-awareness within the mediation process.</li> </ul>

4. Understand the role of the mediator in conflict mediation.	4.1. Explain the role of the mediator in conflict mediation at different stages of the process.	4.1 Explain the role of the mediator from external assessment to completion.  Explain the roles of legal counsel and representatives within a mediation process
5. Understand objectives of initial assessment and case development.	5.1. Summarise objectives of an initial assessment and case development. 5.2. Evaluate the outcome of assessment.	5.1. Summarise objectives of an initial assessment and case development. 5.2. Evaluate the outcome of assessment.
6. Understand the philosophical and ethical dimension to conflict intervention.	6.1. Summarise the philosophical and ethical dimension to conflict intervention.	6.1 Philosophical and ethical dimensions: <ul style="list-style-type: none"> <li>• Explain the principles of mediation to include: <ul style="list-style-type: none"> <li>a) neutrality</li> <li>b) voluntary nature</li> <li>c) confidentiality</li> <li>d) party self-determination</li> </ul> </li> <li>• Summarise at least one mediation code.</li> <li>• Describe your personal values and explain how the code shapes ethical practice.</li> </ul>

## Course Outline

### Day 1 Preparation Work: Conflict Definitions (read); Conflict Style Inventory (complete in advance)

Theme	Content/Activities	Mode	Time	Length
Intro to Course & Group building	Welcome and Introductions <ul style="list-style-type: none"> <li>- Purpose of course</li> <li>- Overview of course ('road map' to refer to each day)</li> <li>- Health and safety</li> <li>- OCN Accreditation and 80% attendance reminder</li> <li>- Registration and complaints</li> <li>- Page on Mediation Competencies – explore and explain</li> <li>- Style of course</li> </ul>	All participate in introduction  Input from tutor on course info  Questions	9.30am	40 mins
	Learning Agreement Creating Guidelines for a mediation meeting	Participative Exercise	10.10am	40 mins
	Duty of Care – bird	Discussion	10.50am	10 mins
	BREAK		11.00am	15 mins
Intro to Conflict	Conflict word association exercise	Participative Exercise	11.15am	20 mins
	Starting Points	Lecture	11.35am	10 mins
	Building trust and rapport – Pyramid	Lecture and discussion	11.45am	10 mins
	Conflict Definitions <a href="#">1.1. Summarise what is meant by conflict.</a>	Participative Exercise	11.55am	40 mins
	Conflict Puzzle – applied by group <a href="#">1.2. Analyse conflict behaviour</a> (Using the Conflict Puzzle headings provided below – describe the 4 components of a conflict that involved you.)	Participative Exercise	12.35pm	25 mins
	LUNCH		1.00pm	45 mins
Conflict Styles	Working on Personal Conflict Style Inventory Tools for handling conflict – Conflict and negotiation styles Distributive & Resource axis Style Graph	Participative Exercise	1.45pm	75 mins



	1.3. Explain different styles of conflict and how they may relate to own behaviour. (Describe the 5 conflict styles. Name your most frequently adopted style(s) and give an example of when you used that. Name the style(s) you find most difficult to encounter in an interaction with another person and explain why.)			
	BREAK		3.00pm	15 mins
Experience s & Approache s	The Progression of Conflict	Lecture and discussion	3.15pm	25 mins
	'Conflict' chair exercise	Participative Exercise	3.40pm	30 mins
	problem □ your solution versus problem □ process □ their solutions	Lecture	4.10pm	5 mins
	Evaluation & Close (Sheep Scale)	Participative Exercise	4.15pm	15 mins



**Day 2** Preparation Work: Pre-reading on Negotiation; pre-reading on Mediation

Theme	Content/Activities	Mode	Time	Length
Conflict Processes	Welcome & Introduction – ‘Who in your past/present was good at handling conflict?’ (capture skills & qualities on board)	Participative Exercise	9.30am	30 mins
	Owning/Disowning	Lecture and discussion		
	Mediation Competencies – signing off	Questions		
	People in conflict – spectrum	Lecture and discussion	10.00am	15 mins
	Overview of Negotiation	Lecture	10.15am	20 mins
	Negotiation strategies and skills	Participative Exercise	10.35am	25 mins
	BREAK		11.00am	15 mins
	Negotiation strategies and skills (continued)	Participative Exercise	11.15am	20 mins
Mediation Theory	Introduction to mediation – What it is/is not (not your problem, not your solution – remembering the Problem □ Solution image)	Lecture and discussion	11.35am	10 mins
	Mediation principles <ul style="list-style-type: none"> <li>• neutrality,</li> <li>• its voluntary nature,</li> <li>• confidentiality,</li> <li>• party self-determination;</li> </ul>	Lecture	11.45am	5 mins
	Cogs in the Resolution Process (ADR Notable)	Lecture and discussion	11.50am	40 mins
	Mediation Process stages including Shared Dialogue steps – initial overview	Lecture and discussion	12.30pm	30 mins
	LUNCH		1.00pm	45 mins
Mediation Experience	Mediation Process stages including Shared Dialogue steps – initial overview (continued) <p>2.1 Explain different conflict strategies</p> <ul style="list-style-type: none"> <li>• Describe mediation</li> <li>• Explain negotiation theory</li> <li>• Explain the basic constructs of a negotiated agreement or settlement</li> </ul>	Lecture and discussion	1.45pm	25 mins



	Triads – negotiation, arbitration and mediation	Participative Exercise	2.10pm	50 mins
	BREAK		3.00pm	15 mins
Types of Mediation and Cases	Types of mediation – formal, informal, face-to-face and shuttle mediation processes <a href="#">3.1 Summarise different types of two-party mediation.</a>	Participative Exercise	3.15pm	15 mins
	Gathering experiences for scenarios – walking out and back	Participative Exercise	3.30pm	45 mins
	Evaluation & Close (The Great Wave)	Participative Exercise	4.15pm	15 mins

**Day 3** Preparation Work: Watch demo of External Assessment; Pre-reading on Mediation Stages and Steps

Theme	Content/Activities	Mode	Time	Length
Preparation Skills	Introduction	Participative Exercise	9.30am	30 mins
	Revision of Stages and Steps using the hoops			
	External Assessment – skills practice meeting Party A & Party B Communication Skills for Mediators	Role-play	10.00am	30 mins
	Internal Assessment – (mapping and practice drafting purpose)	Participative Exercise	10.30am	30 mins
	BREAK		11.00am	15 mins
Shared Dialogue skills	Shared Dialogue – step by step practice	Lecture	11.15am	105 mins
	1. Introduction (and setting the room)			
	2. Sharing Experiences – Managing behaviour we find difficult	Participative Exercises		
	3. Framing			
	4. Joint Problem-solving (separating creating from deciding)	Discussion		
	LUNCH		1.00pm	45 mins
Shared Dialogue Skills & Theory of final Stages	Shared Dialogue – step by step theory	Lecture	1.45pm	60 mins
	5. Drafting Agreement (writing a mediative agreement)			
	6. Concluding Meeting	Discussion		
	Resolution Period - Reflection and Consolidation (Three Tables) - Handing Back & Follow-up Conclusion of Mediation	Lecture Questions	2.45pm	15 mins
	BREAK		3.00pm	15 mins
Roles	Flip Chart Rotation – Key Objectives & Role of the mediator <a href="#">5.1. Summarise objectives of an initial assessment and case development.</a> <a href="#">5.2. Evaluate the outcome of assessment.</a>	Participative Exercise	3.15pm	50 mins
	The roles of legal counsel and representatives (‘legal advice □ negotiation □ representation’ spectrum of roles for counsel; ask your advisor “what would be a range of reasonable outcomes?”)	Lecture	4.05pm	10 mins



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	4.1 Explain the role of the mediator in conflict mediation at different stages of the process. (from external assessment to completion. Explain the roles of legal counsel and representatives within a mediation process)			
	Evaluation & Close	Participative Exercise	4.15pm	15 mins

**Day 4** Preparation Work: Watch Demo of Preparation Work (External Assessment, Internal Assessment & Case Development)

Theme	Content/Activities	Mode	Time	Length
How mediators work and values	Introduction – a value you hold and where it comes from	Participative Exercise	9.30am	30 mins
	Values 6.1 Summarise the philosophical and ethical dimension to conflict intervention. Philosophical and ethical dimensions: <ul style="list-style-type: none"> <li>• Explain the principles of mediation to include:               <ul style="list-style-type: none"> <li>a) neutrality</li> <li>b) voluntary nature</li> <li>c) confidentiality</li> <li>d) party self-determination</li> </ul> </li> <li>• Summarise at least one mediation code.</li> <li>• Describe your personal values and explain how the code shapes ethical practice.</li> </ul>	Participative Exercise	10.00am	45 mins
	Co-working and solo-working	Lecture Discussion	10.45am	15 mins
	BREAK		11.00am	15 mins
Preparation Stages	Debriefing Recorded Demo: Preparation Stages – watched in advance of this session so it can be explored together in class Level of your intervention (Nested Paradigm)	Discussion and Questions	11.15am	105 mins
	LUNCH		1.00pm	45 mins
Skills Work	Listening to someone who is angry (walking triads)	Participative Exercise	1.45pm	30 mins
	Filters and Perceptions – use range of optical illusions Communication Skills for Mediators	Lecture Skills Practice	2.15pm	45 mins
	BREAK		3.00pm	15 mins



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Skills Work	Communication Skills for Mediators Handling Difficult Conversations Contributions System	Input on models and Participative Exercises applying them	3.15pm	60 mins
	Evaluation & Close	Participative Exercise	4.15pm	15 mins

**Day 5** Preparation Work: Watch Demo of Shared Dialogue

Theme	Content/Activities	Mode	Time	Length
Debrief Prep stages	Introduction	Participative Exercise	9.30am	20 mins
	Debrief Recorded Demo: Shared Dialogue – watched in advance of this session so it can be explored in class together	Discussion and questions	9.50am	70 mins
	BREAK		11.00am	15 mins
Biology & Psychology	The biology – Input on brain System 1 & System 2 thinking	Lecture	11.15am	35 mins
	Owning/Disowning – reminder	Lecture	11.55am	10 mins
	Drama Triangle – applied by group	Participative Exercise	12noon	45 mins
	Edward Nelson overviewing the shared dialogue	Video Lecture	12.45pm	15 mins
	LUNCH		1.00pm	45 mins
Shared Dialogue Skills	Shared Dialogue Skills Work - Setting wording for Purpose; scripting Opening Statement - Arranging the room - Opening Shared Dialogue meeting and agreeing Guidelines	Roleplay	1.45pm	75 mins
	BREAK		3.00pm	15 mins
	Managing behaviours we find difficult	Participative Exercise	3.15pm	30 mins
	Collective work on Framing the Issues	Participative Exercise	3.45pm	30 mins
	Evaluation & Close	Participative Exercise	4.15pm	15 mins

**Day 6** Preparation Work: All Read Case Study; Mediator partners prepare together for assessed case

Theme	Content/Activities	Mode	Time	Length
1 <sup>st</sup> Skills Practice x 4	Introduction	Participative Exercise	9.30am	15 mins
	Preparation for practice – looking at the background story & roles	Discussion and questions	9.45am	15 mins
	External Assessment Meeting One	Assessed Roleplay	10.00am	30 mins
	External Assessment Meeting Two	Assessed Roleplay	10.30am	30 mins
	BREAK		11.00am	15 mins
	Internal Assessment work	Assessed Roleplay	11.15am	60 mins
	Case Development Meeting One	Assessed Roleplay	12.15pm	20 mins
	Case Development Meeting Two	Assessed Roleplay	12.35pm	25 mins
	LUNCH		1.00pm	45 mins
1 <sup>st</sup> Skills Practice x 4	Shared Dialogue (Introduction, Sharing Experiences, Framing the Issues, Joint Problem-solving, Drafting Agreement & Concluding)	Assessed Roleplay	1.45pm	90 mins
	BREAK		3.15pm	15 mins
	Debrief of Assessed Practice in small groups	Discussion	3.30pm	40 mins
	Shared Plenary Evaluation & Close 2.2. Analyse a given conflict situation. 2.3. Develop and apply an appropriate action plan to address the conflict situation analysed in AC 2.2. <ul style="list-style-type: none"> <li>Develop a plan to address the two-party mediation scenario</li> <li>Apply plan in a roleplay mediation</li> <li>Write up potential mediation agreement based on content of role-play</li> <li>Assessor Observation</li> </ul> 3.2. Evaluate the action plan applied in A.C. 2.3. identifying good practice and areas for improvement.	Participative Exercise	4.10pm	20 mins





	<p>Self Assessment Form to include:</p> <ul style="list-style-type: none"><li>• D3. Give one or two examples of how learning from the course has led to changes in their behaviour/approach while playing the role of the mediator</li><li>• D4. Comment on specific feedback received during the course (from colleagues and/or trainers)</li><li>• D5. Identify any relevant ethical issues that might have arisen in this case</li><li>• D6. Identify any biases and practices from current and previous personal and professional experience that might have come up for them in this case.</li><li>• Summarise the importance of mediator's self-awareness within the mediation process.</li></ul>			
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**Day 7** Preparation Work: All Read Case Study; Mediator partners prepare together for assessed case

Theme	Content/Activities	Mode	Time	Length
1 <sup>st</sup> Skills Practice x 4	Introduction	Participative Exercise	9.30am	15 mins
	Preparation for practice – looking at the background story & roles	Discussion	9.45am	15 mins
	External Assessment Meeting One	Assessed Roleplay	10.00am	30 mins
	External Assessment Meeting Two	Assessed Roleplay	10.30am	30 mins
	BREAK		11.00am	15 mins
	Internal Assessment work	Assessed Roleplay	11.15am	60 mins
	Case Development Meeting One	Assessed Roleplay	12.15pm	20 mins
	Case Development Meeting Two	Assessed Roleplay	12.35pm	25 mins
	LUNCH		1.00pm	45 mins
1 <sup>st</sup> Skills Practice x 4	Shared Dialogue (Introduction, Sharing Experiences, Framing the Issues, Joint Problem-solving, Drafting Agreement & Concluding)	Assessed Roleplay	1.45pm	90 mins
	BREAK		3.15pm	15 mins
	Debrief of Assessed Practice in small groups	Discussion	3.30pm	40 mins
	Shared Plenary Evaluation & Close	Participative Exercise	4.10pm	20 mins
	<p>2.2. Analyse a given conflict situation.</p> <p>2.3. Develop and apply an appropriate action plan to address the conflict situation analysed in AC 2.2.</p> <ul style="list-style-type: none"> <li>Develop a plan to address the two-party mediation scenario</li> <li>Apply plan in a roleplay mediation</li> <li>Write up potential mediation agreement based on content of role-play</li> <li>Assessor Observation</li> </ul>			



	<p>3.2. Evaluate the action plan applied in A.C. 2.3. identifying good practice and areas for improvement.</p> <p>Self Assessment Form to include:</p> <ul style="list-style-type: none"><li>• D3. Give one or two examples of how learning from the course has led to changes in their behaviour/approach while playing the role of the mediator</li><li>• D4. Comment on specific feedback received during the course (from colleagues and/or trainers)</li><li>• D5. Identify any relevant ethical issues that might have arisen in this case</li><li>• D6. Identify any biases and practices from current and previous personal and professional experience that might have come up for them in this case.</li><li>• Summarise the importance of mediator's self-awareness within the mediation process.</li></ul>			
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**Day 8** Preparation Work: Pre-reading on Written Agreements; pre-reading IMI Code (and other relevant codes)

Theme	Content/Activities	Mode	Time	Length
Additional skills work	Introduction How you say 'good-bye'	Participative Exercise	9.30am	30 mins
	Triad Skills – Shared Dialogue from Framing to ending meeting – out of role (or further Assessed Roleplay if required)	Participative Exercise	10.00am	60 mins
	BREAK		11.00am	
Good Practice and skills	Written Agreements	Participative Exercise	11.15am	45 mins
	Good Practice Issues (consequences for clients/self/profession)	Participative Exercise	12noon	30 mins
	Ending Well Swimming Pool exercise – how ready to mediate?	Participative Exercise	12.30pm	30 mins
	LUNCH		1.00pm	
Closing off and next steps	Reflective Practice (or further Assessed Roleplay if required) <ul style="list-style-type: none"> <li>• Input</li> <li>• Demo</li> <li>• Debrief</li> </ul>	Lecture  Participative Exercise  Discussion	1.45pm	60 mins
	Portfolio clinic	Questions	2.45pm	15 mins
	BREAK		3.00pm	
Ending Group	Mediation – Next Steps (MII bridging; getting practice opportunities; setting up supervision for cases) Plenary sharing – how you will use mediation up ahead	Discussion	3.15pm	15 mins
	Self-Care	Participative Exercise	3.30pm	15 mins
	Written Evaluation	Individual work	3.45pm	15 mins
	Close	Participative Exercise	4.00pm	30 mins

