

TOOLKIT COMPANY PERFORMANCE BASED ASSESSMENT TOOL¹

Type of Assessment:

- ACB accredited mediator**
 Toolkit accredited mediator
 ADR-Register associate certified mediator **ADR-Register full certified mediator**
 IMI certified mediator

- Self-evaluation and description of mediation style received
 Integrity declaration mediator/training institute/parties received
 Interview carried out and passed

Name, address mediator:

Categories and points:

- | | |
|--|---------------------------------------|
| I. Ability to manage the process: | Max 16 points 8 = pass |
| (I.1. Generating options, decision making and closure (if applicable)) | Max 4 points 2 = pass) |
| II. Specific skills interventions and techniques used: | Max 12 points, 6 = pass |
| III. Professional attitude | Max 12 points, 6 = pass |
| IV. Self-reflection and professional development: | Max 16 points, 8 = pass |
| Total maximum points Assessment: | 56 (60); pass at score of 28 (32) |

Scoring scales:

- 0: Missing: Behavior / aspect not observed or unacceptably dealt with
 1: Behavior / aspect inadequately dealt with
 2: Behavior / aspect satisfactorily dealt with
 3: Behavior / aspect (very) well dealt with

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4: Behavior / aspect excellently dealt with

| CRITERIA | 0 Missing | 1 Inadequate | 2 Satisfactory | 3 Good | 4 Excellent | Observations / Remarks |
|--|--------------|-----------------|-------------------|-----------|----------------|------------------------|
| I. Managing the process | | | | | | |
| <ul style="list-style-type: none"> • Effectively moving parties forward: empowering parties, motivating parties, stimulating parties input and control, effectively break through impasse (4) | | | | | | |
| <ul style="list-style-type: none"> • Managing communication aspects: regulating power imbalances, equal attention, speaking time and balance, dealing with emotions, dealing with interruptions, working through conflict issues (4) | | | | | | |
| <ul style="list-style-type: none"> • Structuring the mediation process: expectation management, setting up an issue or negotiation agenda, directing the process, explaining mediation process and roles (opening statement), organizing room, meeting and seating, good timing / mechanics for use of caucus and/or joint sessions and vv. (4) | | | | | | |
| <ul style="list-style-type: none"> • Managing substantive aspects: Identifying, clarifying and working through conflict issues, as well as (underlying) interests. Identifying and pointing out individual and joint interests, framing issues to facilitate discussion. (4). | | | | | | |
| I. 1 Generating options, closure | | | | | | |
| <ul style="list-style-type: none"> • Generating several options, and closure: <ol style="list-style-type: none"> 1. Adequate brainstorming, all parties take part in generating options. 2. Agreement and closure: Reality testing and adequate decision making which is separated from inventing options (only if applicable) (4) | | | | | | |

| | | | | | | |
|---|---------------------|------------------------|--------------------------|------------------|-----------------------|-------------------------------|
| Total I: | | | | | | |
| Total I.1 | | | | | | |
| CRITERIA | 0 Missing | 1 Inadequate | 2 Satisfactory | 3 Good | 4 Excellent | Observations / Remarks |
| II. Specific skills and techniques | | | | | | |
| <ul style="list-style-type: none"> • Adequate and timely use of several techniques and interventions: Listen, acknowledging feelings, reframe, summarize, paraphrase, reflect enlarge, asking questions (open, linear, problem solving clarification, digging deeper), use of silence, reframing • <i>(not all of these techniques need to be used during the assessment: it's about the adequate and timely use, it must fit in the specific mediation) (4 x 2)</i> | X 2 = | X 2 = | X 2 = | X 2 = | X 2 = | |
| <ul style="list-style-type: none"> • Basic techniques: Good use of listening, open-ended questions, (and digging deeper to find underlying interests) summarizing. • <i>(all of these techniques must be used during the mediation) (4)</i> | | | | | | |
| Total II: | | | | | | |
| | | | | | | |
| III. Professional attitude | | | | | | |
| <ul style="list-style-type: none"> • Building up a working relationship: building up trust, rapport with parties, brings in sense of balanced perspective, reduces tension, professional ethics, empathic, relaxed and at ease (4) | | | | | | |

| | | | | | | |
|---|---------------------|------------------------|--------------------------|------------------|-----------------------|-------------------------------|
| • Task focused, adequate professional distance and stance (4) | | | | | | |
| • Equal attention and balance, impartial stance (4) | | | | | | |
| Total III: | | | | | | |
| CRITERIA | 0 Missing | 1 Inadequate | 2 Satisfactory | 3 Good | 4 Excellent | Observations / Remarks |
| IV. Self reflection and PD | | | | | | |
| • Self assessment matched observations assessors (4) | | | | | | |
| • Post-assessment interview satisfactory and confirming (4) professional attitude | | | | | | |
| • Expectation management: description of style and approach and mediator profile in line with observations assessors (4 x2) | X 2 = | X 2 = | X 2 = | X 2 = | X 2 = | |
| Total IV: | | | | | | |
| | | | | | | |
| | | | | | | |
| TOTAL all categories I - V: | | | | | | |

PERFORMANCE BASED ASSESSMENT RESULTS

Name Mediator:

| | | | | |
|---------------------------------------|---------|-------------------------------|-------------------------------|---|
| I. Process Management | points: | <input type="checkbox"/> Fail | <input type="checkbox"/> Pass | <input type="checkbox"/> With Distinction |
| II. Skills, techniques, interventions | points: | <input type="checkbox"/> Fail | <input type="checkbox"/> Pass | <input type="checkbox"/> With Distinction |
| III. Professional Attitude | points: | <input type="checkbox"/> Fail | <input type="checkbox"/> Pass | <input type="checkbox"/> With Distinction |
| IV. SELF-REFLECTION/CPD | points: | <input type="checkbox"/> Fail | <input type="checkbox"/> Pass | <input type="checkbox"/> With Distinction |

Overall performance-based assessment points: **max:** 56 (60); pass at score of 28 (32) (please circle) **Fail** **Pass** **With Distinction**

The mediator demonstrated sufficient levels of mediation competence during the performance-based assessment and the interview on the basis of the TC Mediator Qualifying Assessment Program Criteria. Based on this assessment result this mediator is qualified as TC Accredited Mediator | ACB Accredited Mediator | ADR-Register associate certified mediator* and is eligible to continue to become an IMI Certified Mediator ADR-Register full certified* after satisfactory proof of having gained experience.

If applicable plus:

The mediator proofed to be an experienced mediator (20 cases or 200 mediated hours in 3 years prior to the assessment, based on a logbook, self-assessment, and where applicable Feedback Digest) and is eligible to become an IMI Certified Mediator | ADR-Register full certified mediator*

OR:

The mediator has not demonstrated sufficient levels of mediation competence during performance-based assessment and/or the interview on the basis of the TC Mediator Qualifying Assessment Program Criteria.

Assessor 1

Name: Signature: Date:

Assessor 2 (if applicable)

Name: Signature: Date:

(Observer if applicable)

Name: Signature: Date:)

* please mark what is applicable

INTEGRITY DECLARATIONS

INTEGRITY DECLARATION ASSESSOR(S) and Observer

To the best of my knowledge, this mediator has been assessed in line with my professional integrity, according to the ACB standards and requirements for professional assessments and on an equal base (independent of personal preferences, a specific mediation style or approach, training, or training institutes, professional affiliation, region, gender, race, sexual orientation, religion, or other personal characterizations or affiliations). I hereby attest that all marks were placed independently and to the best of my ability. Also I ascertain confidentiality of and privacy for the documents, information gathered as part of this assessment as well as the video materials if applicable.

Assessor 1 Name: Signature: Date:

Assessor 2 (if applicable) Name: Signature: Date:

Observer (if applicable) Name: Signature: Date:

INTEGRITY DECLARATION MEDIATOR

I hereby attest that the parties were not working from a script prepared by me and did not confer with me other than during the actual mediation simulation about this case. They especially did not prepare or rehearse this case with me. I also declare that I prepared my self-assessment myself and that I did not speak with the other participants about the content of the case or informed them otherwise on substantive issues. Moreover I declare that I will not give any third parties access to the information given to me during the assessment and/or the written exam. I will also not hand-out any training material, for example copies of presentations, power points and/or role-plays /exercises, written test questions, etc. to any third party.

I'm aware that in case ACB, Toolkit Company and/or the International Mediation Institute at any point would find out that I acted against this declaration, all accreditations will be revoked.

Mediator Name: Signature: Date:

INTEGRITY DECLARATION Parties

I hereby attest that I was not working from a script prepared by one of the participants and did not confer with the mediator other than during the actual mediation simulation about this case. The mediator did not prepare or rehearse this case with me. I also declare that I did not speak with the other participants about the content of the case or informed them otherwise on substantive issues. Moreover I declare that I will not give any third parties access to the information given to me during the assessment.

Party 1 Name: Signature: Date:

Party 2 Name: Signature: Date:

(If applicable additional parties or party advisors/advocates:

Party 3 Name: Signature: Date:

Party 4 Name: Signature: Date:)

INTEGRITY DECLARATION Training Institute (if applicable)

I hereby attest that we as a training institute and/or any of our trainers did not prepare a script from which the mediator and/or parties could be working. Parties were only given a case and case instructions. We did not hand out the case beforehand to the mediators or rehearse this case with him or her. I also declare that I did not speak with the other participants about the content of the case or informed them otherwise on substantive issues.

Training institute: Name representative:

Position: Signature: Date: