



International Mediation Institute

PROFESSIONAL MEDIATION WORLDWIDE

Promoting Consensus and Access to Justice

[www.IMImediation.org](http://www.IMImediation.org)

## ACB Foundation / Toolkit Company

*IMI Qualifying Assessment Program*

### About the Organisation

<b>Organisation's full legal name</b>	Toolkit Company   ACB, Stichting ADR Centrum voor het Bedrijfsleven
<b>Year formed, and under which jurisdiction</b>	Toolkit 2006   ACB 1998
<b>Organisation's contact details</b>	Toolkit Company Houtlaan 20 D, 3016 DA ROTTERDAM, The Netherlands, <a href="mailto:info@toolkitcompany.com">info@toolkitcompany.com</a> , <a href="http://www.toolkitcompany.com">www.toolkitcompany.com</a> +31 6 54 336 192
<b>Application type</b>	QAP (certifying mediators)
<b>Submission type</b>	For auditing purposes
<b>Feedback Digest support</b>	Yes
<b>Locations and Languages</b>	<ol style="list-style-type: none"><li>1. The Netherlands: Dutch;</li><li>2. Greece and Cyprus: Greek</li><li>3. Switzerland   France   Germany: French and German.</li><li>4. Worldwide: English (especially for countries where we offer our training programs).</li></ol>

	<p>We monitor standards across jurisdictions by training the assessors ourselves and by having an observer (trainer or partner of Toolkit Company) overseeing the assessments. For countries where we do not have own trainers or assessors available, we offer the possibility to do a video assessment with (an) assessor(s) based in The Netherlands, Switzerland or Greece, or alternatively do the assessment fully online.</p>
Existing CMTF	No
Program assesses experienced mediators who have completed at least 20 mediations/200 hours of mediation	Yes
Optional comment	<p>It is a 3-step system leading to IMI certification for mediators who meet the substantial experience requirements and the criteria in the performance-based assessment tool.</p> <p>Step 1 can be taken immediately after finishing a training, step 2 is gaining experience and step 3 is carried out once the mediator has (proven) experience.</p> <p>Experienced mediators can take steps 1 and 3 on the same assessment day and already have completed step 2 prior to the assessment.</p> <p>See the full description in the attachment.</p>

## Mediator Experience

*The Qualifying Assessment Program (QAP) must include a methodology for ensuring that Applicants have demonstrated to the satisfaction of the Program's Assessors a substantial*

*level of experience as a mediator. The QAP must include clearly identified criteria on this requirement.*

For all experienced mediators and for new (young) mediators - who have gained experience as part of following the 3-step assessment program - before being admitted to step 3 of the assessment program, the candidate needs to submit a logbook and a self-assessment prepared by them as well as the Feedback Digest compliant with IMI guidelines and feedback forms submitted by the parties.

- The logbook must contain at least 20 full-scale mediations or 200 mediated hours in the 3 years prior to step 3 of the assessment.
- The Feedback Digest should be based on feedback forms from those mediations and be prepared by an independent Reviewer compliant with the IMI guidelines. Candidates can choose their own Reviewer or apply for Toolkit Company to appoint a Reviewer for them.
- The feedback forms on which the Feedback Digest is based should also be submitted and include a description of their style and approach to mediation.

## Mediation Knowledge

*The QAP must include a methodology for determining that Applicants have demonstrated a strong understanding of general mediation theory and practice which may be based on written tests, essays, reports, theses interviews and/or other testing platforms.*

An important indicator of the mediators general theoretical and practical understanding of mediation is the mediators ability to explain the process to the parties, his or her opening statement, as well as the mediators description of the own style and approach to mediation, especially combined with a written self assessment of-strengths-weaknesses they perceive while performing mediation. The written self-assessment is submitted to the assessor(s) beforehand.

In addition, an interview between the assessor(s) and candidate is held. The interview consists of questions dealing with theoretical concepts and background knowledge, and the assessor(s) will also discuss with the candidate their practical experiences as mediator, how s/he applied these learning's in practice, discuss how their general strengths and weaknesses played a role in the mediation demonstration during the performance based assessment, as well as for the real life mediations described in their logbook.

For young mediators who take step 1 of the assessment without having the required 20 mediations/200 hours experience when doing the performance based assessment (step 1), an additional interview with an assessor is required in step 3 to complete the check for strong understanding and how this is reflected in their actual mediations.

## Mediator Skills

*The QAP must include a methodology for the evaluation of candidates' performance in terms of the occurrence and effectiveness of mediation process and mediation techniques, against high competency benchmarks. The Evaluations/Assessments may be based on roleplay or live action assessments, and may include videotaped and online assessments such as web dramas, self-assessments, interviews, peer reviews, user feedback and other in-practice skill evaluations.*

1. Live action assessment (mediator and parties, depending on requirements of a specific country 1 or 2 assessor(s) and an observer are all face to face in the same room) based on a role play. The parties are performed by experienced training actors whenever possible. The performance assessed is based on a specific measuring tool (See annex a 'performance based assessment tool').

To ensure easy and affordable availability of an assessment for mediators from parts of the world where Toolkit Company and its assessors are not present in person (and to make it more affordable by avoiding costs for travel etc.), as well as being able to continue taking assessments under restricting conditions like we are facing with COVID-19, other options are offered:

2. Blended online assessment (mediator and parties are face to face in the same room, the assessor(s) and observer join in online in real time) based on a role play with experienced actors as parties whenever possible. The performance based assessed is based on a specific measuring tool (See annex a 'performance based assessment tool').

3. Online assessment (mediator and parties, assessors and observer all join online) based on a role play with experienced actors as parties. The performance is assessed based on a specific measuring tool (See annex a1 'performance based assessment tool for online assessments').

The quality of online assessments is ensured by additional quality control measures:

- there are 2 assessors, a lead assessor and a co assessor

- the parties are experienced assessment role players,
- there is an observer overseeing the entire assessment proceedings, tasked with the organisation, providing a case and instructing the actors.
- provided the candidate agrees to this, the assessments will be videotaped and kept in Toolkit Company's archive during 1 year following the assessment so that on request an IMI QAP appraiser could (after signing an additional confidentiality agreement) watch it for a quality control check.
- we already have a lot of good experiences with online assessments and have developed based on that a specific protocol that the observer/Toolkit Co representative will follow to ensure quality of the proceedings..

In order to make the assessments affordable and the costs manageable - especially in case the applicant is from a country facing challenging economic circumstances - the roles can be combined, so that we do not need to engage 5 separate professionals to assess 1 person.

The co-assessor-role can be combined with performing as a party. The party-role can be combined with being the observer to ensure the proceedings are done properly. In short: there will at minimum always be 3 persons involved besides the candidate. And there will always be an independent lead-assessor involved who only performs the role of assessor in this assessment.

Besides the above described performance-based part of the assessment there is also an interview with the assessor(s). See above

## Program Transparency

*The benchmarks and criteria applied by the QAP must be published and be openly accessible on the organization's website. Details of all approved programs will be listed on the IMI web portal [www.IMImediation.org](http://www.IMImediation.org) and will include a direct link to the credentialing organizations' websites. Responses call for the link (if available), or the reasoning why it is not included and the timeframe for publishing.*

Yes they are published on Toolkit Company's website: <http://toolkitcompany.com/resource-center/page/74/qualified-assessment-program>

## Program Integrity

*Each Assessor must have substantial experience of assessing the performance of mediators. At least one of the Assessors on each Program must be independent of the QAP. Responses call for the criteria applied in appointing Assessors, any independence requirements, and how independence is determined.*

If a sole assessor is appointed, they need to be independent from the training faculty and Toolkit Company. If two assessors are appointed the lead assessor needs to be independent, the secondary | co-assessor can be part of the organization, also as trainer.

Besides this, all assessors (and role players and the observer where applicable) need to sign an integrity declaration for each candidate, stating:

***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.***

## Ongoing Monitoring of Programs

*The QAP must include a process for the ongoing monitoring of the performance and practice of the Assessors. IMI will liaise closely with all recognised program organizers to maintain a sustainable quality control system.*

The assessments are monitored by Toolkit Company. We strive to have an observer from our organisation (trainer and/or mediator) be present during each assessment to watch over the proceedings. An exception to this can be made for full video assessments. The assessors and actors (playing the parties) and the observer consult and debrief after each assessment. The executive partner of Toolkit Company, Manon Schonewille, selects and briefs with each assessor before their appointment and debriefs on a regular base with the

lead-assessor, either in one on one or as part of assessor peer-intervision meetings. Assessors are requested to engage in peer intervention: new assessors are trained on the job as co-assessor by lead assessors.

We welcome IMI monitoring during live-action mediation as well as online assessments.

## Commitment to Diversity

*The QAP must be made accessible on an equal basis to experienced mediators regardless of their professional affiliations, gender, race, ethnicity, age, religion, sexual orientation or other personal characterization.*

The following comment to diversity is published on the websites:

***In line with the IMI requirements participation in the assessment process is accessible on an equal basis to experienced mediators regardless of their professional affiliations, gender, race, ethnicity, age, religion, sexual orientation, or other personal characteristic. Assessors and others taking part in the assessment process sign an integrity declaration to ascertain this.***

Besides the publication of this policy we assure that each assessor and others involved in the assessment sign an integrity declaration for each assessment.

## Quality Assurance

Program registered in accordance with jurisdiction requirements	Yes
Trainers, coaches and assessors registered as mediators (if	Yes

<p>required by the jurisdiction)</p>	
<p><b>Clarification of passing criteria</b></p>	<p>Total maximum points attainable for the performance-based part of the assessment are 56 and candidates pass at score of 28 or above.</p> <p>For the exceptional cases where a mediator would reach the stage of Generating options, decision making and closure, additional criteria will be scored by the assessors and the total maximum points are 60 and candidates pass at score of 32 or above. See Assessment tool (Annex A) with clear criteria and grading.</p> <p>The interview in step 3 is based on the Practice Assessment Criteria Tool. The criteria are</p> <ol style="list-style-type: none"> <li>1. Professional attitude, self-reflection and professional development category counts for 40% of test result</li> <li>2. Managing the process, including generating options, decision-making, closure, implementation and follow-up of mediations category counts for 40% of test result</li> <li>3. Advanced mediation process management skills like dealing with attorneys representing their clients, multi-party cases or cross border cases will be tested. category counts for 20% of test result</li> </ol>
<p><b>Process where participant fails assessment</b></p>	<p>The candidate is offered the opportunity of re-assessment twice. Besides an interview with the assessor during the actual assessment, all candidates receive written feedback on their performance from the lead assessor. Offering them guidelines and helpful tips for developing their practice as mediator as well as where applicable a re-assessment.</p>

<b>Supporting documents</b>	<i>List of attachments:</i> <ul style="list-style-type: none"><li>• Annex A: Practice assessment criteria tool (Step 3)</li><li>• Annex B: Competency framework for assessments</li><li>• Annex C: Description of the full 3-step assessment system, diversity and complaints</li></ul>
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