



International Mediation Institute

PROFESSIONAL MEDIATION WORLDWIDE

Promoting Consensus and Access to Justice

www.IMImediation.org

Academy Mediation & Negotiation, part of Toolkit Company

IMI Certified Mediator Training Program

The Organisation

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<https://toolkitcompany.com/training/training/16/module-1-become-a-qualified-mediator-online>

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.

Year formed, and under laws of what country/ies	2006 The Netherlands
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Training course registered in accordance with jurisdiction requirements	Yes
Locations and Languages	<p>The Netherlands Dutch language, Belgium Dutch language, Greece Greek language, Switzerland English language, EU English language. We train in all countries around Europe and/or train participants from all EU countries and in fact from around the world.</p> <p>Quality standards are implemented by engaging local trainers, training in the local language (except for the mixed international courses where the language is English) and by reviewing a survey at the end of each training, as well as interacting with the participants also outside of class in our digital learning platform. We review trainings with the lead trainers and implement lessons learned and upgrades.</p>

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.

Attach your course outline	See annex.
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<p>Mediation principles - neutrality, voluntary nature, confidentiality, party self-determination, process</p>	<ul style="list-style-type: none"> • Mediation principles – neutrality, its voluntary nature, confidentiality, party self-determination (Module 1, 3 and 9); • Process (overview in module 1, the steps of mediation and the mediator’s role within each step are dealt with in each following module which has a focus on a specific stage in the process, in the last modules we focus again on the full mediation process including all stages) – • The opening statement by the mediator (Module 3),. <p>Note that while these must be covered, it is up to the training provider to adopt a format that is consistent with the focus, approach and ethos of the course, e.g. facilitative, transformative, on-line, co-mediation, etc. => we cover all different mediator approaches to enable the mediator to find a style best fitting to him / her and the specific circumstances of the case. Theory regarding styles/approach is dealt with in Module 6)</p>
<p>The roles of legal counsel and representatives</p>	<p>The roles of legal counsel and representatives (Module 10)</p>
<p>Overview of negotiation and conflict resolution theory</p>	<p>An overview of negotiation and conflict resolution theory (Modules 2, 4, 5, 7)</p>
<p>Mediator ethics, including appropriate local ethical standards</p>	<p>Mediator ethics, including any appropriate ethical standards existing in the region in question. (Modules 4, 9,11)</p>
<p>Forms of listening skills and communication strategies</p>	<p>Forms of listening skills and communication strategies (Module 9 specifically, also debriefed throughout the</p>

	roleplays and we do the toolkit intervention game where techniques are extensively practiced)
Process management skills, including the use of joint and private meetings	Process management skills including but not limited to the use of joint and private meetings (throughout the who course, joint session/caucus in module 6, process management in particular in Modules 9, 10, 11, 12)
Negotiation strategies and skills to manage the content of the dispute	Negotiation strategies and skills to manage the content of the dispute (Module 2, Module 9, Module 112)
Ways of responding to the diverse behaviours of the parties	Ways of responding to the diverse behaviours of the parties.(throughout the whole course, in particular in Module 9, 11, 12)

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 these guidelines.

Attach competency framework	See annexes (TC ACB Mediator Assessment Tool 2020), and annexes relating to MfN.
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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.

Course duration	44 hours
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Group Size

It is recommended that courses have a maximum class size of 30 students, with the trainer-student ratio ranging between an ideal of 1 trainer to every 6 participants; to a maximum of 1 trainer to every 10 participants.

Maximum class size	21 (Greece), 16-21 (other jurisdictions): All courses comply with the local customs of trainer-student ratio. Our courses never exceed 21 students (which is the number laid down in the Greek law) and generally we use a maximum size of 16 students (Dutch MfN rule).
Maximum trainer to participant ratio	We use a maximum of 1:9 participants/trainer ratio. the only exception being Greece where the law regulates maximum 21 participants and 2 trainers.
Overall approach to class size or trainer-participant ratio	<p>We limit classes to 16 participants. Up to 9 participants 1 trainer (with coaches for role-pays) is acceptable (Dutch MfN rule). From 9 participants on we work with 2 trainers and coaches for some role-plays. Besides this, we have guest lecturers, and work in several role-plays with training actors who play the parties and can give additional feedback on mediator performance.</p> <p>The exception is Greece where there are always 2 trainers irrespective of the number of participants (with a maximum of 21 participants as prescribed by law).</p> <p>For assessments there is always at least 1 assessor present for each mediator during the full-time as well as training actors.</p>

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%

Lecturing, knowledge input, presentation	Of 44 hrs net training approx 4,5 hrs theory/formal lecturing (=280 min) = 10%, indicated white in the attached course outline
Exercises and discussion	Of 44 hrs net training approx 17,5 hrs exercising and discussing (= 1050 min) = 40% indicated blue in the attached course outline
Role-playing, coaching, and feedback	Of 44 hrs net training approx 22 hrs role-playing (14 role-plays = 1315 min) = 50%, indicated green in the attached course outline

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.

In what format and how far in advance do participants receive general course materials and confidential role play briefs?	All literature and articles that need to be studied are uploaded on our digital platform, to which the participants are invited at least 2 weeks ahead of the start of the course. This platform will also stay accessible for at least 1 year after the course and frequently new literature and information is uploaded. We do not require participants to study literature ahead of time because this avoids part of the group being
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	<p>prepared and part of the group not. We suggest necessary readings during the course as homework and also stimulate the participants to especially dive in the literature after the course. Through the digital learning platform any additional questions that may come up can be easily interacted about with fellow participants as well as the trainers.</p> <p>Confidential role-play briefs where the participants need to prepare for their roles in advance are uploaded on the digital platform or e-mailed well ahead of time. Generally, at least one week, it can differ however in an intensive course format which is taught several days in a row. Here we also engage in in class preparation and/or using simpler roleplay formats where the fact pattern can be easily picked up and/or we engage training actors who play the parties so the mediators can simply concentrate on mediating.</p> <p>The handbook Toolkit Mediation (NL) and Toolkit Generating Outcomes (English), pocket Toolkit Mediation (Greek) form the guideline and base for the course and are provided as part of the course. Codes of conduct, legislation, mediation rules, academic articles, checklists, e-books and negotiation literature, as well as summaries or the book itself of important books like Getting to Yes, Getting past no, Beyond reason etc. are provided.</p>
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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.

Each role play in a course has a maximum of six persons for a two party mediation.	Yes
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 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
All participants mediate the same number of times in role plays	Yes
Role plays are varied in subject matter and allow for practice of different stages of the mediation process	Yes

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).

How is performance feedback given to	<p>Various forms of feedback are given:</p> <ul style="list-style-type: none"> • Private 1 on 1 in an individual discussion with the trainer • From the parties
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<p>participants on your course?</p>	<ul style="list-style-type: none"> • From a trainer or coach either in a small group or in plenary, also including general learnings that are shared with the whole group. • Feedback/debriefing on the learning platform => for this informal feedback we use the format: general feedback, tips (what can be improved), tops (what went well). See feedback form attached • We also request participants/mediators to reflect on their own performance and learnings. This is done in the form of discussion: stop, start, continue doing... • The toolkit QAP assessment tool is generally used as the competency framework. As well as the guidelines of the Dutch MfN. If an (in)formal assessment is done this QAP tool forms the basis. • After the course we offer a 20-30 minute individual coaching call / meeting with a trainer to each participant where among others personal development and individual overall feedback can be discussed. • Feedback protocols are established through setting rules and specifically agree on how to give and receive feedback before the first exercise and trainers frequently refer back to it.
<p>Attach course feedback forms or guidance</p>	<p>See annex.</p>

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.

<p>Does your course provide an assessment of a participant's competence as a mediator, and if so, how is this process undertaken?</p>	<p>On day 6 a post training performance based assessment takes place. The assessment is carried out in accordance with the ACB/TC QAP rules and format and the Toolkit QAP assessment tool. This post training assessment is step 1 of the 3 steps to become an IMI certified mediator. See: https://toolkitcompany.com/resource-center/page/74/qualified-assessment-program.</p> <p>This TC post training assessment, combined with full class attendance, completing homework, as well as submitting a self-assessment, will give access to IMI qualification as IMI qualified mediator (once TC is a CMTP).</p> <p>Where applicable, as a next step any local body carries out their own local testing for local certification based on their own criteria and system. E.g. in the Netherlands INTOP for MfN, in Greece the Ministry of Justice.</p> <p>After gaining sufficient experience, mediators can also seamlessly move to steps 2-3 of the QAP to become IMI certified. (see attachment A for the TC tool that forms the base)</p>
<p>Does your course provide an assessment of a participant's knowledge as a mediator, and if so, how?</p>	<p>Via homework debriefing as well as the discussion/debriefing with the assessor(s) as part of the assessment (see QAP program for details: https://www.imimmediation.org/QAP/toolkit-company/)</p>
<p>Process of appointing assessors on a course</p>	<p>We engage assessors who are trained to use the Toolkit assessment tool. Assessors are IMI /MfN certified mediators and/or experienced trainers/mediators who are not part of the training faculty for this course. In this we strictly follow the TC</p>

	QAP process. See https://www.imimmediation.org/QAP/toolkit-company/
Clarification of passing criteria. How a student passes or fails this CMTP	We use the TC QAP tool which gives an objective base regarding criteria (See Annex)
Next steps taken, should a student fail.	All participants get specific oral and written feedback from the assessors on what to improve on, what topics to revisit and what they did well (also if they pass). Participants who fail are offered the opportunity to redo the assessment. We follow our QAP process. See: https://www.imimmediation.org/QAP/toolkit-company/

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.

Indicate what your organisation does to facilitate participants' development as mediators	<p>A session as part of the course that deals with how the mediation profession works within the various jurisdictions concerned in the course and how mediators can market themselves is offered as part of module 8 (where we deal with brainstorming techniques).</p> <p>We stimulate joining YMI or local organisations and offer opportunities for ongoing development, show possible mentoring opportunities, co-mediations, offer intervision, supervision, CPD and especially stimulate interacting with other mediators who are trained by Toolkit (each class has their own closed group on the digital learning platform, and we also have an international and Dutch alumni group). We</p>
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	<p>cover various certification and assessment possibilities and follow up.</p> <p>After the course we offer a 20-30 minute individual coaching call / meeting with a trainer to each participant where among others personal development can be discussed.</p>
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Complaints and Appeals Policy

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.

<p>Attach complaints and appeals policy</p>	<p>See annex.</p>
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Conflicts of Interest

<p>Please outline what steps you take to avoid any potential conflicts of interest between trainer/coaches/assessors and participants on your course.</p>	<p>Participants know beforehand who the trainers are, trainers know beforehand who the participants are. In case any issues arise that cannot be solved/would hamper learning or development experience of the participant, the trainer is replaced. A coach would not work with a participant and be replaced.</p> <p>For assessors we follow our standard procedure of checking with every assessor specifically beforehand to avoid any conflict of interest. Assessors, training actors for assessments as well as the participants need to sign a 'integrity declaration' as part of the</p>
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	assessment documents. See Assessment tool annex.
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Trainers, Coaches, and Assessors

Anyone seeking to act as a TCA has successfully participated in a mediation training course which meets the requirements set out above.	Yes
Where mediator registration is required in a jurisdiction, trainers, coaches and assessors are registered as mediators.	Yes

<p>TCAs 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.</p>	<p>Yes</p>
<p>Trainers attend 'train the trainer' training of at least 18 hours, broadly covering topics set out in the IMI guidance notes</p>	<p>Yes</p>
<p>Coaches and assessors undertake a course broadly covering topics set out in the IMI guidance notes</p>	<p>Yes</p>
<p>Trainers deliver at least one basic mediator skills training course or</p>	<p>Yes</p>

refresher course every two years	
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	In all our trainings an IMI Certified Mediator is engaged as a trainer. E.g. Dimitra Triantafyllou in Greece, Jeremy Lack in Switzerland, Manon Schonewille and Annet Draaijer in The Netherlands. All our trainers have gone through a training of trainers course / workshops / and/or are very experienced trainers. With most of them we have already worked for years.
New TCAs are to be observed and given performance feedback by senior colleagues	New TCA's would join as an observer first and next as a co-trainer. When they teach, always a lead trainer is present. After each module/day learnings and possible improvements are discussed and taken into account for the next trainings. We hold peer-intervision discussions to review. Also to update the program.
Explain your peer review system for trainers, coaches and assessors	See above. It's a very important and an ongoing process. Besides the above, we ask written feedback of the participants at the end of a course, also regarding teachers and when points of improvement come up we address them with the trainer/coach/actor them. If a trainer/coach/actor fails to

	<p>improve (or consistently is not open to feedback) then we will work with another professional in the future. We also hold regular feedback rounds with participants of how they feel and perceive the course and instructors. Besides this, we have a community and can interact easily through our digital learning platform.</p> <p>We offer a 5 day formal training for trainers course which we have successfully done so since 2012. There is a formal performance based assessment tool that we use to accredit and review trainers (these criteria also form the base of our review of trainers).</p> <p>For feedback from participants we use forms in compliance with each jurisdiction. The one that we use for our international classes in English is ONLINE. PLEASE FOLLOW THIS LINK TO SEE THE ENGLISH FEEDBACK FORM : https://manonschonewille.typeform.com/to/udSI53. The other forms are similar. I'm ATTACHING below WHAT WE USE IN NETHERLANDS based on the MfN format (in Dutch).</p>
<p>Attach Train-the-Trainer Program</p>	<p>(Note: Train-the-trainer program assessed and approved by IMI; not available as annex.)</p>
<p>Attach template feedback form</p>	<p>See annex.</p>
<p>Attach complaints policy for use should course participants wish to formally complain about a trainer, coach or assessor</p>	<p>See annex.</p>