



International Mediation Institute

PROFESSIONAL MEDIATION WORLDWIDE

Promoting Consensus and Access to Justice

www.IMImediation.org

ADR Institute of Canada

IMI Qualifying Assessment Program

About the Organisation

Organisation's full legal name	ADR Institute of Canada
Year formed, and under which jurisdiction	1974 Federally incorporated in Canada
Organisation's contact details	ADR Institute of Canada 234 Eglinton Ave E #407 Toronto Ontario M4P 1K5 Canada Phone Number: 1-416-487-4733 and 1-877-475-4353 Email: admin@adric.ca Fax: 416-901-4736
Submission type	For auditing purposes
Feedback Digest support	No

<p>Locations and Languages</p>	<p>ADRIC is national in scope and is represented throughout Canada by seven Regional Affiliates which process applications from their membership for ADRIC designations in their respective regions. They then make recommendations to ADRIC for the award of successful applicants.</p> <ol style="list-style-type: none"> 1. ADR Institute of Ontario (ADRIO) - English 2. ADR Institute of Saskatchewan (ADRSK)- English 3. ADR Institute of British Columbia (ADRBC) - English 4. ADR Institute of Alberta (ADRIA)- English 5. ADR Institute of Manitoba (ADRIM)- English 6. ADR Atlantic Institute (ADRAI) / Institut de médiation et d'arbitrage de l'atlantique -English 7. Institut de médiation et d'arbitrage du Québec (IMAQ)- French <p>ADRIC's Chartered Mediator (C.Med) designation recognizes a superior level of generalist competence, the goal being to assist those requiring mediation services in finding highly experienced and skilled mediators. The C.Med designation is awarded to mediators who meet the qualifications set out based on the specified criteria (attached).</p> <p>Every three years, Chartered Mediators are required to acquire a specified points as per the ADRIC's Continuing Education and Engagement Program (CEE program)</p>
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QAP Application

<p>Program assesses experienced mediators who have completed at least 20 mediations/200 hours of mediation</p>	<p>Yes</p>
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Optional comment	<p>At present according to C.Med Criteria, the applicant must have conducted at least 15 mediations as the sole mediator or the mediation chairperson and all 15 of the mediations must have been fee paid . C.Med criteria requires Completion of 100 hours of study in addition to and experience of 15 meditations.</p> <p>In order for a C.Med mediator to be qualified by ADRIC as IMI Certified, we will require the mediator to provide evidence that applicants have a level of experience exceeding 20 mediations covering more than 200 hours.</p>
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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.

At present, the C.Med Criteria requires mediators to have conducted at least 15 mediations as the sole mediator or the mediation chairperson and all 15 of the mediations must have been fee paid. (The applicant must clearly have been the lead mediator, not simply a co-mediator) Almost all C.Med mediators actually have considerably more experience than the minimum indicated and ADRIC is therefore currently considering increasing these minimum experience levels.

In order for a C.Med mediator to be qualified by ADRIC as IMI Certified, we will require the mediator to provide evidence that applicants have a level of experience of 20 plus mediations covering more than 200 hours

Attached are the required documents that ask for proof of mediator experience this includes certificates, descriptions of mediations conducts.

Applicant are required to list minimum 5 mediations. For each mediation, they have to provide: number of parties, issues mediated, duration of mediation, whether they were the sole mediator or lead mediator in a co-mediation. In addition, applicant are required to provide a summary of their mediation practice including:

- i. length of time (years) mediating, identified as full or part time,
- ii. number of hours per month or percentage of your time currently engaged as a mediator
- iii. total number of cases mediated (estimate),
- iv. type of practice, typical type of case, etc.

Applicants are also required to state areas of specialization, if any, and the area in which they perform most of their mediations – for example - commercial, insurance, labour, family, construction or other.

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.

ADRIC's Competency Assessment Criteria require a candidate for C.Med certification to complete at least 80 hours of mediation theory and skills training in mediation programs approved by ADRIC, plus at least 100 hours of study or training in dispute resolution generally, covering the psychology of dispute resolution, negotiation, public consultation, mutual gains bargaining, communication, management consulting, conflict management, or specific substantive areas such as law, psychology, social work, counselling, etc. The training details are decided by each Regional Assessment Committees (RACs) as explained in the ADRIC Competency Assessment Criteria.

https://adric.ca/wp-content/uploads/2019/04/ADRIC_CMed_Criteria_April-2019.pdf

Mediation knowledge is assessed through the Skills Assessment with ethical dilemma component and interview.

Attached: Skills Assessment Criteria

Using the longevity provision is based on ADRIC's Longevity of Practice Criteria which is a very high standard to meet and the applicants are have to submit detailed proof of mediation knowledge equivalent to the education requirements listed in the application form. This Criteria is applied where an applicant has clearly shown through proven skills, competency, and significant longevity in practice, as well as by recognition of peers in the dispute resolution field, that she or he has more than met these requirements.

After consulting with the Regional affiliate, if an applicant wishes to apply for the designation on the basis of the Longevity of Practice exemption, they should submit:

1. a summary of mediation practice.
2. awards and recognition received in the field
3. number of training and education programs developed by them
4. at least 5 letters of recommendation following the Guidelines for Letters of Reference
5. a CEE report to indicate Continuous Education and Engagement for the previous year.

If the information is deemed appropriate for the waiver, the next step will be a skills assessment (mock mediation) with an ethical component.

Attachment: Longevity of practice form

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.

ADRIC recommends assessing mediator skills through the Skills Assessment Process.

During Sills Assessment:

- Assessors use Standard Skills Assessment Form (attached)
- 3 RAC members (Assessors holding C.Meds) do the Assessment

During the Skills Assessment the applicant must demonstrate competency in mediation as per the competency process outlined (attached) which shall be determined through:

- a) Observation and approval of the applicant conducting a mediation as a sole mediator by at least three Chartered Mediators approved by RAC's ("Assessors"), to occur within two years before or after the date of the C.Med application, through one or more of the following: the applicant conducting an actual mediation, mediation role play, or other processes approved by the NAAC in advance of the assessment. This is based on the COMPETENCY ASSESSMENT PROGRAM which forms the basis of the skills assessment. The passing Criteria is based on the following:

- a. Part One consists of 9 required skills/competencies, meaning that unless all skills in Part One are rated Meets or Exceeds, the applicant will fail on the skills assessment. All skills in this section must be observed and rated.
- b. Part Two consists of 12 additional skills, at least 6 of which must be rated Effective. If 7 or more of the Part Two skills are rated either Less than Effective or Not Applicable/Didn't Observe, this shall constitute a fail on the part of the applicant.
- c. Skills will be assessed at a high standard.

or

- b) In exceptional circumstances, an interview between the applicant and the RAC's. For an interview to satisfy this requirement, the applicant, prior to the interview, must be determined by the RAC's to qualify for an interview in lieu of observation through longevity in practice, and recognition and recommendation by peers. When relying on an interview rather than observation, the RAC's may require letters of reference from clients who have directly participated in mediations with the applicant, as per the Letters of Reference Guidelines.

or

- c) Another means of assessing an applicant's mediation competency that meets the goals and standards of a. or b. above, proposed:
 - a. to the RAC's by the applicant, along with reason for the proposal, or
 - b. by the RAC's

An applicant's RAC's approved proposal or an RAC's proposal shall be submitted to NAAC for its approval.

ADRIC's COMPETENCIES GUIDELINES

This is not an exhaustive list of competencies and is intended as a guideline of generally recognized desirable qualities for competent mediators.

ADMINISTRATIVE SKILLS

The ability to organize and conduct the practice of mediation in an efficient and effective manner.

1. Ability to organize and maintain office systems
2. Ability to work within the system/rules governing the accepting and handling of engagements
3. Ability to allocate time, effort and other resources
4. Ability to organize the required needs of the mediation
5. Ability to bring the engagement to completion

PROCEDURAL SKILLS

Ability to recognize the nature of the dispute and establish clear understandings concerning the process with and between the parties

6. Ability to determine if mediation is appropriate to the particular situation:
7. Ability to establish clear understandings
8. Ability to supervise the preliminary meeting
9. Ability to deal with preliminary matters

RELATIONSHIP SKILLS

The ability to instil and maintain a positive relationship and good communication

10. Ability to maintain a positive relationship
11. Ability to listen effectively
12. Ability to speak effectively
13. Ability to maintain an atmosphere conducive to communication

FACILITATION SKILLS

Ability to conduct the mediation session using fair, flexible and effective procedures, skills and techniques

14. Ability to conduct a fair session
15. Ability to promote an assertive tone
16. Ability to deal with high emotion
17. Ability to organize and analyze data
18. Ability to deal with the issues

Attached: Detailed Competency Guidelines .

Attached: CMed Criteria. On page 6-12 the Competency framework is explained.

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 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.

ADRIC's Competency Assessment Criteria, as well as the assessment requirements set out are available for public scrutiny and can be downloaded from the ADR Canada website.

<https://adric.ca/useful-links/professional-designations/c-med-application/>

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.

Assessments for the C.Med designation are monitored by the NAAC (National Appeal and Audit committee). The NAAC is comprised of no fewer than three C.Med mediators, all of whom are independent and none of whom are employees of ADRIIC. The RAC (Regional Assessment Committee) is comprised of no fewer than three C.Med mediators. All are independent and none is an employee of ADRIIC.

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 Assessors on the RACs (Regional Assessment Committee) are themselves Chartered Mediators in good standing. They are leaders within the mediation community selected by the affiliate.
- Most of the assessor on the RAC's have been part of the committee for over a decade with demonstrated excellence in practice. They commit to openness and to bring the best standards of practice and competencies to the committee.

- Their selection is based on the Standard of Behavior, Standard of Conduct and Approach. Additionally, the committee looks at the assessors qualifications, reputation in the practice of mediation, area of expertise, understating of the Competencies, knowledge, and ability to do the Role Play, and debrief.
- Some of the key values that the committee looks for in its assessors are: openness, non-judgmental, impartiality, fairness, having an equitable lens, professionalism, no conflict on interest, transfer and accountability in recommending or not recommending applications.
- To ensure quality and to monitor the performance of the RACs, the chairs of each RAC review the performance of their respective committees (assessors, process, procedures, designation approvals, etc.) and share it with the NAAC (National Appeal and Audit committee). ADRIC also audits designation approvals across all affiliates which contain feedback and comments from assessors. In this way, ADRIC monitors how assessors are evaluating applications and performing in their roles.
- During the skills assessment, three assessors from each RAC evaluate and discuss competencies, code of conduct, and ethics components. The assessors then debrief and complete the form to be submitted to the full RAC. During these evaluation sessions, newly appointed assessors get an opportunity to work with senior and more experienced assessors.
- ADRIC accepts ongoing monitoring from IMI by submitting credentials of its assessors and can provided documents used as part of the assessment on request.

ADRIC will monitor Feedback for the mediators it qualifies for IMI Certification, requiring Reviewers to provide copies of all completed forms on a spot-check basis to enable ADRIC to monitor and verify the consistency of the Feedback Digest with the IMI Guidelines.

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.

Canada is one of the world's most diverse multi-cultural societies, with approximately 22% of the population believed to be born outside Canada. In common with all leading professional organizations in the country, ADRIC invites applications for its C.Med and other designations from all sectors of society, regardless of gender, race, ethnicity, age,

religion, sexual orientation and personal characterization. Membership of ADRIIC is open to all mediators of good standing.

ADRIIC is in the process of creating a written Diversity policy and is working on Diversity and Inclusion into all aspects of the organization.

Please refer to ADRIICs diversity series: Diversity in ADR series: <https://adric.ca/diversity-stream/>

Quality Assurance

<p>Program registered in accordance with jurisdiction requirements</p>	<p>Not Applicable</p>
<p>Trainers, coaches and assessors registered as mediators (if required by the jurisdiction)</p>	<p>Not Applicable</p>
<p>Clarification of passing criteria</p>	<p>The C.Med Assessment Criteria specifies the Principles, Criteria, Protocol, Competencies that the participants are required to meet.(Attached).</p> <p>Broadly the Criteria is considers participants based on Education, Experience, Skills Assessment, Membership, Pledge, Continuing Education and Engagement, Insurance,</p> <p>The Assessment Process</p> <p>The first stage of the objective third party assessment of an applicant for the Chartered Mediator or Chartered Arbitrator designation is completed by the Regional Assessment Committee (RAC). This committee is comprised of Chartered members selected by the affiliate for their recognized experience and standing in the ADR Community. The RAC meets</p>

	<p>with and interviews the applicant. Applicants for a Mediator designation may be asked to do a mock mediation.</p> <p>Once the applicant has been reviewed by the regional committee, if he or she is successful, the application will be forwarded to ADRIC with the recommendation the designation be conferred. If all is in order ADRIC will notify the candidate of his/her success and next steps which include making pro-rated payment of the annual fee and sending of the certificate .</p>
<p>Process where participant fails assessment</p>	<p>In case the RCMAC does not recommend an applicant it notifies the applicant, providing reasons and recommendations, along with information about appeal processes.</p> <p>The decision of the RCMAC is final, but for the right of appeal to the NAAC by a failed applicant based on issues related to application of policy or procedure.</p>
<p>Privacy</p>	<p>ADRIC's Privacy Policy</p> <p>The policy is consistent with the core values of ADRIC and protects the Personal Information of its employees, clients, customers and members and other individuals whose Personal Information it handles (collectively, "Individuals"). ADRIC recognizes that effective systems and measures to protect such Personal Information are important to safeguarding the interests of Individuals who share their information with ADRIC. The purpose of this privacy policy (the "Policy") is to establish common rules to govern the collection, use and disclosure of Personal Information by ADRIC, in a manner that balances an Individual's right to privacy with the need of ADRIC to collect, use or disclose Personal Information for purposes that a reasonable person would consider appropriate in the circumstances, in accordance with applicable privacy laws ("Privacy Laws").</p>

	<p>ADRIC's Privacy Policy https://adric.ca/wp-content/uploads/2019/02/ADRIC-Privacy_Policy-2019-02-01.pdf</p>
Additional comments	<p>Quality Assurance and commitment to Continuing education and engagement.</p> <p>Under the ADRIC Competency Assessment Criteria, Part III, Section IV and VII, the "Chartered Mediator" designation must be renewed every three years. This requires (a) completion of a Renewal Application and (b) a renewed Pledge. The "Chartered Mediator" designation will not be renewed where the applicant has breached the Pledge. Since January 2009, holders of the C.Med designation are required to document their education and engagement activities in the field on the provided reporting form and return it three years from the date the designation is granted. The Instruction Form contains the points awarded for a comprehensive list of activities. Practitioners holding the C.Med designation are required to acquire 100 points over a three year time period. Mediators not meeting the minimum education and engagement requirements lose their C.Med status, and if they are IMI Certified on the strength of their C.Med status, they would also lose that designation.</p>
Supporting documents	<p><i>List of attachments:</i></p> <p>Competency framework for assessments, Complaints/appeals policy, Privacy policy; others as indicated in text.</p>