

ADR QUADRA

IMI QUALIFYING ASSESSMENT PROGRAM

POLICY CONCERNING complaints by participants who are dissatisfied with the OUTCOME / QUALITY OF THE ASSESSMENT

Note: In order to assess an applicant's skills QUADRA adopts a performance-based testing, consisting in having the candidate observed in an uninterrupted, unedited, clearly audible video-taped mediation for 30 minutes approximately (the initial ones of the first mediation session). Should an actual mediation be taped, the applicant is requested to obtain a prior written authorization by all parties concerned.

The applicant's performance is assessed according to standards varying in consideration of the mediation approach chosen by applicant in filing the application. Presently, applicants are given the possibility to opt for either a –

- (a) transformative;*
- (b) facilitative/problem-solving; or*
- (c) evaluative approach.*

QUADRA is planning to extend options to other approaches in the future, if requested to do so. Reference assessment standards, and minimum requirements for accreditation are set in relation to each of any available approach, and made available to the public (see at www.adrquadra.com).

The criteria for assessment, according to the different approaches mentioned above are the following-

All approaches

- (i) The ability to explain to the parties the aims of the process, and the role of the mediator;*

Transformative Approach

- (ii) The ability of supporting the parties' view of the mediation as a constructive conversation (CC);*
- (iii) The ability of supporting the parties' sense of their own agency (OA);*
- (iv) The ability of supporting the parties' orientation to each other (EO);*
- (v) The ability of supporting the parties' "conflict talk" (CT);*
- (vi) The ability of supporting the parties' decision-making process (DM).*

Facilitative, Problem-solving Approach

- (i) The ability of facilitating communication with, and between the parties (FC);*
- (ii) The ability of identifying the parties' unexpressed interests and needs (IN);*
- (iii) The ability of managing the process effectively (PM);*
- (iv) The ability of supporting negotiations, and finalisation of settlement deals (SN).*

Evaluative Approach

- (i) The ability of establishing and maintaining a fair process (FP);*
- (ii) The ability of analysing thoroughly each party's case from a factual and legal point of view (AN);*
- (iii) The ability of facilitating solutions, and of making settlement proposals if opportune (SP);*
- (iv) The ability of checking the terms of possible settlement agreements generated by the parties (TS).*

The applicant's performance is observed and assessed by a qualified assessor, i.e. a person who is in possession of the necessary level of experience and expertise to do the job, according to QUADRA standards (see point 5 below).

Together with the application, an applicant is required to submit a self-assessment paper, describing his/her more significant interventions, whether they are congruent, or not, with the chosen approach. In respect of a major intervention, the applicant is also requested to provide evidence of: context, purpose, effect, and the linkage to the chosen approaches. In case of non-congruent interventions, s/he is expected to give an explanation of what s/he would have been done differently in hindsight.

Assessors are expected to mark each applicant's intervention (-/+; e.g. A mark OA+ means in the transformative context that the mediator has made an intervention in support of a party's own agency).

Once the video, and the self-assessment have been analysed, the assessor interviews the applicant in order to check his/her level of awareness in respect of the interventions made. At the end of the process, the assessor releases a summative assessment sheet where the applicant is declared "satisfactory" (therefore declared "QUADRA CERTIFIED [chosen approach] MEDIATOR) or "non satisfactory". As a general rule, a candidate is considered satisfactory in a given strategy whereas the relevant + marks overcome the – ones; otherwise, s/he is considered as non-satisfactory. However, in case of balance, or slight preponderance of – marks, a "satisfactory" judgement is given should the applicant show in his/her self-assessment and/or personal interview to be aware of non-congruent interventions made.

In order to pass the test, an applicant has to satisfy all the strategies provided for in respect of the chosen approach.

The summative assessment sheet specifies both the approach, and the language utilized by the candidate in his/her performance.

Now, due to the fact that a performance-based assessment is vulnerable to a great degree of subjectivity, an applicant who has been considered as 'non satisfactory' may ask to have his/her performance reviewed by a different assessor. As an alternative, s/he may submit a new video for review.

Additionally, an applicant may signal to ADR QUADRA any complaint relating to the quality of services received. In this case, ADR QUADRA shall make an internal enquiry, and provide the applicant with a written final answer including, as the case may be, a statement by the assessor whose services have been questioned.

A request for review, submission of a new video, or a complaint for poor quality of services received is to be made in writing by contacting ADR QUADRA via email at certification@adrquadra.com.