

MSA SCORING FORM

B

Singapore
Mediation
Centre

smc

Name of Candidate : _____

Date of Assessment : _____

Simulation : _____

NOTES

1. This scoring form is made up of 4 sections.

SECTIONS

I SPECIFIC SKILLS	– Skills unique to the associated stage
II GENERAL SKILLS	– Skills relevant to most or all stages
III RESULTS	– Record of scores and grade
IV EVIDENCE AND OBSERVATIONS	– Record of evidence and observations

2. Candidates will be assessed in 3 skills areas.

SKILLS	PROCESS	PEOPLE	PROBLEM-SOLVING
CODE PREFIX	A	B	C

Section I and II

3. Each skills area consists of a few performance criteria. Candidates will receive either Acceptable (A), Need Improvement (NI) or Not Observed (NO) for each performance criteria.
4. Please note that candidates will only be given an Acceptable (A) for a performance criterion if candidates performed the criterion well. Candidates are also reminded that during assessment, candidates are assessed by two independent assessors with an objective to assess candidate's skills to be qualified as a professional. Candidates to note that feedback during coaching may be less stringent as candidates were still viewed as still learning.
5. Some performance criteria have special conditions. Those that are italic and bold mean that the candidate who does not demonstrate the task and receive a **NO** will be given an immediate failure.

Section III

6. Candidates will receive either **Distinction**, **Pass** or **Fail** for each skills area.
7. To achieve an overall Distinction, candidates will need to achieve a **Distinction** in all the 3 skills areas. To pass, candidates will need to achieve a minimum **Pass** in all the 3 skills areas.

Section IV

8. This section is to highlight some of the candidate's performance that are as follows:
 - (i) outstanding; or
 - (ii) need improvement.

Online Assessment Requirements

9. Candidates are to ensure that:
 - (i) they are in a private, well-lit and quiet area with no interference or assistance from any third party;
 - (ii) the video is turned on throughout the mediation assessment;
 - (iii) they are front facing the video and their full face and upper body can be seen clearly;
 - (iv) the computer or laptop set up (including video, audio and internet connection or Wi-Fi) can support the online assessment; and
 - (v) they are familiar with the functions of the chosen assessment platform (Zoom – Screen share, whiteboard, annotation and other relevant functions).
10. During private sessions, the assessors will place candidates playing parties not selected for the first private session in a breakout room. Candidates who are placed in the breakout room are expected to be on stand-by in the event that the mediator needs to conduct the second private session with them.
11. Candidates taking the MSA using the online platform will be assessed based on their mediation skills *per se* instead of how they use the online medium for mediation.

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I SPECIFIC SKILLS

- For each performance criterion, candidate will receive either one of the following:
A – Acceptable NI – Need Improvement NO – Not Observed
- For performance criteria in ***bold and italics***, if candidate does not perform the criteria well and receives a zero (NO), assessor to give an immediate failure.

THE MEDIATOR'S OPENING STATEMENT

CODE	PERFORMANCE CRITERIA	A	NI	NO
B1	Welcome parties to mediation			
B2	Introduce self and get the names of parties			
A1	Explain role of mediator (i) not an adjudicator (ii) process manager / facilitator of negotiations (iii) is neutral and impartial			
A2	Explain objectives of mediation			
A3	Explain role of parties			
A4	Explain stages of mediation			
A5	Explain voluntariness to mediate			
A6	Explain voluntariness to enter settlement agreement			
A7	Check for authority to settle			
A8	Explain that process is without prejudice in a language that is simple and without legal jargon			
A9	Explain confidentiality			
A10	Share ground rules			
A11	Overall delivery and fluency			

PARTY A'S OPENING STATEMENTS

CODE	PERFORMANCE CRITERIA	A	NI	NO
A12	Appropriate notetaking and listening to party's Opening Statement			
A13	Check with party for any additional information before summary			
A14	Summarise salient points of party's Opening Statement adequately and appropriately			
A15	Reframe appropriately (E.g. Remove toxic language, paraphrase inappropriate language)			
A16	Check if summary is accurate and check if anything is missed out			
B3	Demonstrate understanding of the party's situation during summary through tone and body language			

PARTY B'S OPENING STATEMENTS

CODE	PERFORMANCE CRITERIA	A	NI	NO
A17	Appropriate notetaking and listening to party's Opening Statement			
A18	Check with party for any additional information before summary			
A19	Summarise salient points of party's Opening Statement adequately and appropriately			
A20	Reframe appropriately (E.g. Remove toxic language, paraphrase inappropriate language)			
A21	Check if summary is accurate and check if anything is missed out			
B4	Demonstrate understanding of the party's situation during summary through tone and body language			

AGENDA SETTING

CODE	PERFORMANCE CRITERIA	A	NI	NO
A22	Elicit issues from parties			
A23	Elicit issues from parties alternately (I.e. one issue from Party A and then one from Party B and so on)			
A24	Use neutral word(s) for issues			
A25	Use a mutual list of issues (I.e. only one list of issues)			
A26	Use bullet points instead of numbering and ranking issues			
A27	Check with parties if there are any other issues			

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EXPLORATION OF ISSUES

CODE	PERFORMANCE CRITERIA	A	NI	NO
A28	Facilitate discussion of all the agenda items before private session			
A29	Give 'homework' to party who is waiting for his/her private session <i>(E.g. To consider creative options/ reflect on what has been discussed)</i>			
B5	Encourage/facilitate direct communication between the parties			
C1	Facilitate sufficient exploration (ventilation) of the agenda items.			
C2	Demonstrate attempt to assist parties to generate/explore options <i>(Note: with exception of items that are sensitive in nature)</i>			

PRIVATE SESSION

CODE	PERFORMANCE CRITERIA	A	NI	NO
A30	Stress confidentiality at beginning			
A31	Assist parties to prepare for subsequent session <i>(E.g. To consider creative options/ reflect on what has been discussed/ prepare to negotiate directly with the other party)</i>			
A32	Devote appropriate time to this session			
A33	Check for authority to disclose at the end of the session			
C3	Facilitate sufficient exploration (ventilation) of the agenda items.			
C4	Explore options and use objective criteria to help parties ascertain fairness of option generated where appropriate			
C5	Facilitate realistic consideration (reality testing) of options: (i) Reasonableness of proposals (ii) Feasibility of solutions (create doubts)			
C6	Check parties' alternatives			

II GENERAL SKILLS

- For each performance criterion, candidate will receive either one of the following:
A – Acceptable NI – Need Improvement NO – Not Observed
- For performance criteria in ***bold and italics***, if candidate does not perform the criteria well and receives a zero (NO), assessor to give an immediate failure.

GENERAL SKILLS		A	NI	NO
CODE	PERFORMANCE CRITERIA			
A34	Perform all stages up to end of 1 st private session			
A35	Perform stages in accordance with SMC Mediation model			
A36	<i>Safeguard the parties' confidentiality</i> (i.e. <i>Did not breach confidentiality</i>)			
B6	Acknowledge parties' concerns			
B7	Appropriate amount of talking			
B8	Give appropriate and equal attention to both parties (E.g. <i>For in-person MSA - Make appropriate eye contact with non-speaking party</i> <i>For Online MSA - Make appropriate inclusion of the non-speaking party in the conversation, looking at camera</i>)			
B9	Conduct self in a neutral manner (i.e. <i>Refrain from exerting influence on the parties in accordance with the mediator's own views/values</i>)			
B10	<i>Behave in an impartial manner</i> (i.e. <i>Treat parties fairly</i>)			
B11	Use appropriate body language (E.g. <i>For in-person MSA - open and welcoming body language with parties reciprocate</i> <i>For online MSA – being attentive, show concern</i>)			
B12	Demonstrate effort to develop rapport (i.e. <i>Being friendly/ Put parties at ease/ Warm personality</i>)			
B13	Maintain control of interaction at each stage (E.g. <i>Stop arguments, allow parties to interact</i>)			
B14	Appear confident			
B15	Show empathy and parties are drawn to share more information			
B16	Tactful and able to avoid issues / situations that might derail the mediation process (E.g. <i>listing options on the board/ anywhere visible that might cause parties to react negatively, asking questions that incite argument, etc</i>)			
B17	Professionalism (E.g. <i>Appearance, reliable, appropriate behaviour, ethical practices, organised, accountable, well-prepared etc</i>)			
C7	Consider needs of all parties			
C8	Identify the underlying interests of parties			
C9	Ask clarifying open-ended questions to: (i) elicit / clarify information (ii) shift parties' perspectives (iii) facilitate self-reflection			
C10	Demonstrate active listening skills through words, tone and body language			
C11	Refrain from asking excessive fact-finding/interrogative questions			
C12	<i>Refrain from giving legal or non-legal advice/ solutions</i>			
C13	Refrain from arm-twisting/ forcing parties to settle by accepting the options (E.g. <i>repeatedly pushing the options to parties even though party(s) rejects</i>)			

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III RESULTS

Description	Process Skills	People Skills	Problem-Solving Skills
Immediate Failure Tick CODE	A36 <input type="checkbox"/>	B10 <input type="checkbox"/>	C12 <input type="checkbox"/>
Grade (Distinction/Pass/Fail)			
Overall Grade (Distinction/Pass/Fail) <i>Distinction – All 3 Distinctions</i> <i>Pass – All 3 Passes, including 1 or 2 Distinctions</i> <i>Fail – At least 1 Fail</i>			

Name of Candidate : _____ **Date of Assessment** : _____
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IV EVIDENCE AND OBSERVATIONS

- State the Code and Evidence.

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