

The Mediation Practitioner's Certificate

Course Outline

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Overview

The Mediation Practitioner's Certificate is highly participative, helping learners to develop their mediation skills through a number of exercises, lectures, group discussions, dispute simulations and case-studies. The course is led by a highly experienced practising mediator and we use our own custom-made videos to illustrate a range of typical disputes, and to demonstrate how mediation would be applied to them.

The programme includes:

- Different people's responses to conflict: how and why disputes occur
- The skills, knowledge, and qualities of a mediator
- Where mediation can and cannot be used
- How and why mediation works
- The pitfalls and opportunities in using mediation

What will be learnt:

- The underlying principles of mediation
- The step-by-step mediation process, and the tasks at each stage
- The role of the mediator compared to other professional roles
- Confidentiality and impartiality in mediation
- How to initiate, manage and conclude the mediation process
- The skills and knowledge required of mediators
- The role of experts, advisers and advocates in mediation
- Mediator ethics
- How to ensure that mediation is safe, constructive & effective
- How to enmesh mediation within learners' organisational policies

Timing and duration of courses

- The above content is based on a 5-day course, with each day running from 08.30 – 17:30.
- The 5 days can be taken during consecutive working days. Alternatively, as an organisation having an in-house training course, you may not want employees to be away from work for 5 consecutive days, so the course can be broken down into a 3-day block and another 2-day block at the client's convenience.
- Provided as an in-house programme, learners may prefer to work longer hours over fewer days, and UK Mediation is entirely flexible in responding to this need, provided the total requisite numbers of hours are achieved.
- There is an additional written portfolio that needs completing by all delegates. This usually takes approximately 12 hours of private study time and needs to be submitted four weeks after the course finishes.
- The course is also available as a blended course of three days online plus three days face-to-face.

Interpersonal and Commercial Mediation

- UK Mediation's approach, developed over the last 21 years, is to train people in the nature and psychology of conflict, and in the skills and knowledge required to successfully resolve it. We make a distinction between training for Interpersonal Mediation (workplace & neighbourhood disputes, complaints and medical mediation) and Commercial Mediation (financial, contractual and business disputes) and we teach slightly different models for these.
- We therefore train commercial or interpersonal mediators on the only available Level Four, externally accredited mediator training course in Europe. The emphasis on the two variants of the course is clearly different in places, and certain elements are added or omitted depending on whether we are training for commercial or interpersonal mediation. The narrative below will sometimes state: '*and for commercial cases....*')

Course Outline for The Mediation Practitioner's Certificate

Day One

MORNING	Content	Type of Activity	Time Spent
08.30	Welcomes, overview of course, and agreeing learning objectives	Lecture Group discussion	30 mins
	Learners' prior experience & knowledge of conflict resolution	Pairs discussion Small group work	
	Conflict Theory	Pairs Exercises Lecture	1¼ hours
	Positions and interests	Interactive exercise	
	People's different responses to conflict: The Thomas-Kilmann inventory	Questionnaire Pairs discussion	
10.45 Morning break			15 mins
11.00	Mediation compared to other means of dispute resolution	Individual work Pairs exercise	30 mins
	Defining principles of mediation: Voluntariness Confidentiality Self-determination	Video Group discussion	
	Varieties of mediation: Transformative Facilitative Evaluative processes	Group discussion	
	<i>For commercial cases: Contrasting commercial mediation and interpersonal mediation</i>	Worked examples Pairs exercise	1¼ hours
	Understanding how and why mediation works	Lecture Worked examples Video	
12.45	LUNCH		30 mins

AFTERNOON	Content	Type of Activity	Time Spent
13.15	What mediation can and cannot do	Video Role play Pairs work	1¼ hours
	Where to apply mediation	Case examples Small group work Interactive exercise Video	
	<i>Commercial mediation cases: where and how mediation is likely to work</i>	Case examples Small group work Interactive exercise	30 mins
	Impartiality and avoidance of bias	Role play Pairs exercise Group exercise	
3.00 Afternoon break			15 mins
3.15	Active listening skills	Role play Coaching Exercise in threes Video Peer feedback	1¼ hours
	Empathic responding	Coaching Role Play Video	
	Prejudices and stereotypes: staying impartial & responding to diverse needs	Questionnaire Pairs exercises	30 mins
	Session evaluation/consolidation	Group discussion	
17.30	Close		

Day Two

MORNING	Content	Type of Activity	Time Spent
08.30	Preparing for the 7-stage process: Referral and triage.	Lecture	1¾ hours
	<i>Additionally, for commercial cases: Agreements to Mediate and Position Statements</i>	Group discussion Pairs work Role play	
	The role of experts, advocates, and representatives	Role play Video Group discussion	
Stage 1 of the 7 stage process: Contact with Party One			
	<i>Additional input for commercial cases: Running the opening round table session</i>	Demonstration Role play Small group work Group discussion	30 mins
10.45 Morning break			15 mins
11.00	Active and passive listening	Role play Pairs exercises Exercises in threes	1¼ hours
	Non-directive responding	Role play Pairs exercises	
	Mediator ethics: the mediator's role	Lecture Group discussion	
	Addressing diversity	Pairs exercise Tutor input	30 mins
	Inclusive practice: ensuring equality of access to mediation	Lecture Group discussion	
12.45	LUNCH		30 mins

AFTERNOON	Content	Type of Activity	Time Spent
13.15	Building rapport with a disputant at Stage 1	Video Role Play	1¼ hours
	How to communicate the role of the mediator to disputants	Demonstration Role play	
	Working with a distressed, angry, or reluctant disputant	Pairs exercise Role play	
	Understanding confidentiality, disclosure, ethics and the law	Lecture	30 mins
	Getting the full story from a disputant	Role play	
3.00 Afternoon break			15 mins
3.15	The technique of funnelling: how to get a clear account while building rapport	Demonstration Pairs exercise Role play	1¼ hours
	Maintaining impartiality: avoiding the 'hooks'	Role play Exercise in threes Peer feedback Tutor input	1 hour
	Session evaluation/consolidation	Group Discussion	
17.30	Close		

Day Three

MORNING	Content	Type of Activity	Time Spent
8.30	Stage 2 of the 7 stage process: Initial contact with Party Two		
	<i>Additionally, for commercial cases:</i> - Running the shuttle process - Process management	Role play Pairs work	2¼ hours
	Hearing from the second party Maintaining impartiality	Role Play	
	<i>Additionally, for commercial cases:</i> - Process Management: <i>Deciding between the joint meeting and caucus</i>	Tutor demonstration Role Play	
10.45 Morning break			15 mins
11.00	Confidentiality and disclosure	Role Play Worked examples Pairs work	1¼ hours
	Ethics and maintaining safety	Worked examples Role Play	
	Switching the focus from past to present and into the future	Role play	
	Psychological process in the early stages	Lecture Pairs exercises	30 mins
	Karpman's drama triangle	Tutor input Small Group Exercise Group discussion	
12.45	LUNCH		30 mins

AFTERNOON	Content	Type of Activity	Time Spent
13.15	Stage 3 of the 7-stage process. Preparing for a face-to-face session		
	Forming an agenda Sorting mediable/non-mediabile issues	Lecture Role Play	1½ hours
	<i>Additionally for commercial mediation cases....</i> <i>Process Management:</i> <i>- Moving into the series of shuttle sessions</i> <i>- When to meet jointly</i>	Role Play Group discussion	
	Deciding whether to use mediation or whether another approach would be preferable	Pairs discussion Group work Worked examples	
	Re-framing: moving from positions to interests & blame to responsibility	Exercise	
	Staying impartial	Tutor input Small group exercise	30 mins
3.00 Afternoon break			15 mins
3.15	Dealing with people's resistance	Role play Demonstration Small group Exercise	1½ hours
	What have they told you then? – maintaining confidentiality	Lecture Pairs work Role Play	1 hour
	Session evaluation/consolidation	Discussion	
17.30	Close		

Day Four

MORNING	Content	Type of Activity	Time Spent
8.30	Encouraging people's participation in mediation	Pairs exercise Role play	1 hour
	Making adequate preparations to progress a case	Role Play	
	Avoiding common pitfalls in mediation	Tutor input Discussion	15 mins
Stage 4. Beginning the Face-to-face Mediation Session			
	Mediator opening comments <i>Additionally for commercial mediation cases...</i> <i>Process management:</i> <i>- beginning the shuttle (private) sessions, practical considerations</i>	Group discussion Role play	1 hour
10.45 Morning break			15 mins
11.00	What might go wrong on the day	Video Pairs work Group discussion	1 hour
	Opening the face-to-face session	Role play	
	Agreeing ground rules	Role play	
	Process management: Managing difficult & disruptive behaviour	Video Role play	
Stage 5 of the 7-stage process The Negotiation/Facilitation Phase			
	Defining & sorting issues into an agenda	Tutor demonstration Role play	45 mins
	Reframing	Worked examples Exercise	
12.45	LUNCH		30 mins

AFTERNOON	Content	Activity	Time spent
13.15	Facilitation: making the most of opportunities	Role play	1 hour
	Negotiation Strategies	Tutor demonstration Role play	
	Dealing with power imbalances Communicating assertively with disputants	Role play	
	The use of side meetings (Caucus)	Video Role play	45 mins
	BATNA, WATNA and MLATNA	Lecture Pairs work Group discussion	
3.00 Afternoon break			15 mins
3.15	Stage 6 of the 7-stage process: Building Agreements		
	Knowing when to quit	Role Play	2 hours
	Creating options for a resolution	Role Play	
	Assessing resolutions against people's interests	Role Play	
	Writing the agreement	Role Play	
	Preparing for assessed role-plays	Group discussion Small group work	15 mins
	Session evaluation/consolidation	Group Discussion	
17.30	Close		

Day Five

MORNING	Content	Type of Activity	Time Spent
	ASSESSED ROLE PLAYS		
8.30	Setting up role plays & Assignment to groups	Tutor input	15 mins
	First round of role plays <i>(three parallel groups: three candidates assessed)</i>	Role Play	1 hour
	Second round of role plays <i>(three candidates assessed)</i>	Role Play	1 hour
10.45 Morning break			15 mins
11.00	Private feedback sessions, round 1. <i>(ten minutes per candidate so far assessed)</i>	1-1 s	1 hour (feedback happens while role plays still continue)
	Third round of role plays <i>(three candidates assessed)</i>	Role Play	
	Private feedback sessions, round 2. <i>(ten minutes per candidate)</i>	1-1s	30 mins
	Group feedback on role plays	Group discussion	15 mins
12.45	LUNCH		30 mins

AFTERNOON	Content	Type of Activity	Time Spent
13.15	Fourth round of role plays (<i>three candidates assessed</i>) and	Role Play	1¾ hours (feedback happens while role plays still continue)
	Private feedback sessions, round 3. (<i>ten minutes per candidate so far assessed</i>)	1-1s	
3.00 Afternoon break			15 mins
3.15	Fifth round of role plays if required (<i>final candidates assessed</i>)	Role Play	1¾ hours
	Private feedback sessions (4) (<i>ten minutes per candidate so far assessed</i>)	1-1s	
Stage 7 of the 7-stage process: Closure and Follow-up			
	<ul style="list-style-type: none"> The UK Mediation and EU codes of practice Course evaluation Arrangements for post-course written assessments: support/completion of portfolios 	Small group work Lecture Group Discussion	30 mins
17.30	Close of Course		