



CRITERIA FOR ASSESSMENT

Core Skills

The **Core Skills** to be assessed are the:

A. *Administration*

1. Ability to meet and greet a range of participants appropriately.
2. Ability to deal with introductions and address participants appropriately.
3. Ability to manage health and safety issues.
4. Ability to describe how the mediation will work.
5. Ability to identify the status of those attending and deal with any issues arising.
6. Ability to identify those with authority.
7. Ability to keep participants informed.
8. Ability to read papers and prepare thoroughly for mediation.
9. Ability to recognise when a mediator can be a witness.

B. *Process*

1. Ability to demonstrate an appropriate opening to a mediation.
2. Ability to explain the importance of the mediation agreement.
3. Ability to create an opportunity for everyone to give opening statements.
4. Ability to identify the issues to be resolved and to get the facts and perceptions out on the table.
5. Ability to create and maintain a safe and effective environment.
6. Ability to manage the phases of mediation.
7. Ability to summarise.
8. Ability to manage any venting.
9. Ability to ensure that any agreed rules are maintained.
10. Ability to manage time and maintain momentum.
11. Ability to use private sessions effectively.
12. Ability to transmit offers effectively.
13. Ability to apply a flexible approach to process.
14. Ability to ensure that if settlement is reached the agreement is written and signed.
15. Appropriate allowance for diversity and linguistic issues.

C. *Ethics*

1. Ability to describe to the disputants the importance of confidentiality in the mediation process and how will that be maintained.
2. Ability to explain without prejudice nature of mediation.
3. Sensitivity to strong felt values of the disputants, including gender, ethnic, and culture differences.
4. Ability to treat the participants equally and fairly.

5. Ability to identify when and how to neutrally terminate a mediation.
6. Ability to understand and deal with power imbalances.
7. Ability to identify and separate the mediator's personal values from issues under consideration.
8. Ability to deal appropriately with unethical behaviour.
9. Ability to preserve participants' autonomy.
10. Commitment to honesty, dignified behaviour, respect for the participants.
11. Adherence to ethical and code of conduct values.

D. *Soft skills*

1. Ability to listen actively.
2. Ability to know when to use silence.
3. Ability to use clear, neutral language.
4. Ability to earn trust and develop rapport.
5. Ability to be interactive.
6. Ability to manage relationships.
7. Ability to interact with diverse range of disputants using appropriate language.
8. Ability to use open questions.
9. Ability to appropriately use closed questions.
10. Ability to use probing questions.
11. Ability to demonstrate enthusiasm.

Higher Skills

The **Higher Skills** the student should aspire to are the:

A. *Administration*

1. Ability to consider appropriate room layout and seating.
2. Ability to conduct pre-meetings where relevant.
3. Ability to undertake a mediation without note taking.

B. *Process*

1. Ability to help participants invent creative options through brainstorming.
2. Ability to reframe.
3. Ability to reflect.
4. Ability to seek clarification of information.
5. Ability to analyse problems, identify and separate the issues and interests involved through questioning.
6. Ability to engage in principled negotiation.
7. Ability to help the participants identify principles and objective criteria that will guide their decision-making.
8. Ability to engage in reality testing.

9. Ability to deploy strategies to resolve impasses.
10. Ability to help the participants assess their non-settlement alternatives.
11. Ability to encourage participants to look at the dispute from different angles.
12. Ability to help the participants make their own informed choices.
13. Ability to help the participants assess whether their agreement can be implemented.
14. Ability to use a flipchart or one text approach.

C. *Ethics*

1. Ability to recognise a disputant lacking in capacity.
2. Ability to identify money laundering issues.
3. Ability to identify relevant profession ethics. Ability to identify risks posed to others.

D. *Soft skills*

1. Ability to demonstrate authenticity.
2. Ability to empathise with participants.
3. Ability to demonstrate curiosity.
4. Ability to demonstrate an inquiring mind.
5. Ability to demonstrate neutral body language.
6. Ability to observe and respond to participants' body language.

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Director of Standards

LSM ASSESSMENT SKILLS SHEET MATRIX 2018

On the assessment days, students will be expected, where the role plays allow, to demonstrate to the independent assessors all of the Core Skills. They may also demonstrate Higher Level skills. All of the core skills will be introduced and taught during the training days. Care will be taken to ensure that every student has grasped the skills and the examination will also reflect that awareness. Overall, the assessors will be looking to see whether the student is safe and has adequate competencies measured against these objective criteria. Students should ask the Faculty if in any doubt at all. A full briefing will be given by the assessors before the assessment commences to amplify the process.

Student: Date: Role play:	1. ADMINISTRATION	2. PROCESS	3. ETHICS	4. SOFT SKILLS
a) CORE SKILLS	1 Meeting 2 Names 3 Health & safety 4 How it will work 5 Who attends? 6 Authority 7 Keeping informed 8 Preparation (notes) 9 Witness	1 Opening 2 Mediation agreement 3 Opening Statements 4 Issues/facts/perceptions 5 Safe environment 6 Management 7 Summarising 8 Venting (if it arises) 9 Rules 10 Time/Momentum 11 Private sessions 12 Transmission of offers 13 Flexibility 14 Settlement agreement	1 Confidentiality 2 Without prejudice 3 Sensitivity 4 Equality 5 Termination (if it arises) 6 Power imbalance (if it arises) 7 Personal values 8 Unethical behaviour (if it arises) 9 Preserve autonomy 10 Honesty 11 Code of conduct	1 Active listening 2 Silence 3 Neutral language 4 Trust/rapport 5 Interaction 6 Manage relationships 7 Appropriate language 8 Open questions 9 Closed questions 10 Probing questions 11 Enthusiasm
b) HIGHER LEVEL SKILLS	1 Room layout 2 Pre-meetings 3 No notes	1 Brainstorming 2 Reframing 3 Reflecting 4 Clarifying 5 Problems/Interests 6 Principled negotiation 7 Objective criteria 8 Reality testing 9 Impasse strategies 10 Different angles 11 Alternatives 12 Informed choices 13 Implement 14 Flip chart/one text	1 Capacity 2 Money laundering 3 Relevant professional ethics 4 Risks to others	1 Authenticity 2 Empathy 3 Curiosity 4 Inquiring 5 Open body language 6 Sensitivity to body language