

## Certified Member Core Competancies

### Introduction

The standards identified in this report define the core competencies required of Certified Mediators in a wide range of settings and contexts. While Mediators may be drawn from many different sources, the core requirements to effectively conduct a mediation are the same. The standards therefore do not propose different levels or categories for Certified Members.

The standards relate to the actual conduct of mediation sessions where all parties are present. They do not relate to pre-mediation intake functions such as initial contact with the parties and scheduling of sessions, nor to post-mediation follow up. It is recognised that Mediators need to be proficient in performing these functions, but such functions may be carried out by Mediators themselves or by other specially trained personnel, and are not part of the core competencies for Mediators.

### Core Competencies:

#### A. Managing the Relationship in Mediation

- Establishes and maintains a respectful trusting and balanced relationship with the participants by:
  - Creating rapport
  - Respecting the participants
  - Encouraging mutual respect among all participants
  - Being objective and impartial in style
  - Modelling '*advanced communication skills*' with co-mediator
- Demonstrates key mediator skills and qualities (*e.g., listening, questioning, assertiveness, observation, tolerance, openness, honesty etc.*)
- Encourages the participants' self determination
- Facilitates a collaborative relationship between the participants
- Enables the participants hear each other's stories
- Enables the participants develop a relationship with the mediator(s) and if feasible, with each other in the room, whereby they express feelings and become "*real*" to each other
- Encourages use of preferred names
- Recognises and acknowledges conciliatory gestures and concessions (*'gifts'*)
- Facilitates expressions of regret and apology between the participants
- Enables the participants explore their future relationship, if relevant

#### B. Managing the Process of Mediation

- Deals effectively with initial resistance to mediation
- Ensures participants have a clear understanding of the structure of mediation, process and roles
- Where applicable, assists the participants in negotiating the process, ground rules and agenda for mediation sessions
- Manages the introduction process in a respectful, balanced and clear fashion
- Works effectively with co-mediator in controlling the stages of the process
- Attends and explores participants' concerns and empathises with feelings
- Enables the development of each participant's story

- Encourages participants to openly converse
- Manages the separation of issues into an agenda
- Assists participants in understanding the consequences of their plans
- Assists participants with option building, broadening the number or scope of options
- Empowers the participants to explore and find their own ways forward
- Manages the creative discussion of possible ways forward
- Ensures participants have a clear understanding of expectations in relation to preparation and delivery of the joint meeting
- Assists participants in exploring and reality-testing alternatives to mediation
- Manages impasse, resistance, or difficult behaviour
- Demonstrates appropriate use of joint meetings and Caucus
- Works with power imbalance or control issues
- Handles intense emotions
- Displays flexibility and uses creative strategies effectively
- Assists participants with reality testing next steps, particularly through the use of questioning and consultation with other agencies where appropriate
- Enables the participants develop clarity about their concerns
- Facilitates Agreement
- Writes Agreement
- Enables participants to complete a service evaluation
- Engages in 'evaluative feedback' session with co-mediator

#### **C. Manages the Content of the Mediation**

- Obtains, identifies, organises, analyses, prioritises and evaluates information
- Assess the issues and options and reason logically
- Reads, comprehends and uses relevant written materials
- Write clearly and concisely, using neutral language
- Organises records and materials
- Asks the participants to elicit information from other professionals (*such as appraisers, actuaries, accountants, mental health professionals, child protection professionals, lawyers*) with the objective of broadening rather than limiting the participants' options

#### **D. Managing the Self**

- Demonstrates mastery of mediation process
- Demonstrates an awareness of ethical issues
- Engages in ongoing assessment of appropriateness of case for mediation
- Demonstrates appropriate level of skill, competence, and effectiveness
- Demonstrates ability to work with co-mediator and clients
- Demonstrates ability to self reflect.