

Practice Standards for mediators

(Approved by the Committee for Excellence in Mediation 26.05.2016)

1. Practice Standards for admission of mediators to the Register

- 1.1 The minimum practice standards for admission of a mediator to the Register cover:
- 1.1.1 **Adequate training** from a trainer or team of trainers with appropriate experience
 - 1.1.2 A requirement for **sufficient experience**
 - 1.1.3 Post-training **Continuing Practice Development (CPD) and practice support**
 - 1.1.4 Establishing and **maintaining a portfolio** of evidence
 - 1.1.5 Adherence to an appropriate **code of conduct**
 - 1.1.6 An appropriate **system for addressing concerns** and handling complaints
 - 1.1.7 Appropriate **Indemnity Insurance**
 - 1.1.8 **Verification Process**
 - 1.1.9 **Effect date and transition period** for the Practice Standards

1.1.1 Adequate training

Mediators must have satisfactorily completed mediation training. The performance of the mediator during or on completion of mediation training must have been assessed as satisfactory.

The mediation training should include training in:

- Principles and practice of mediation
- Stages in the mediation process
- Ethics and values of mediation
- The legal context of disputes (if any)
- Communication skills useful in mediation
- Negotiation skills and their application
- The effects of conflict and ways of managing it
- Diversity

The mediation training will include not less than **40** hours of tuition and role-play, (with a minimum of 20 of these training hours spent in role play or practical exercise) including a formal assessment. The assessment should include direct observation of practice as a mediator in role play.

The training must be provided by a trainer who has had sufficient training and experience themselves.

Family and Community Mediators must comply with the practice standards set by Relationship Scotland for Family Mediators and the Scottish Community Mediation Network for Community Mediators in relation to initial training.

1.1.2 Sufficient experience

Admission to the Scottish Mediation Register requires completion of initial training followed by **2** mediations in the past 12 months and not less than **6** hours conducting mediations in the past 12 months.

Family and Community Mediators must comply with the practice standards set by Relationship Scotland for Family Mediators and the Scottish Community Mediation Network for Community Mediators.

1.1.3 Continuing Practice Development (CPD) and practice support

Mediators are required to plan, undertake and review a minimum of **12** hours of continuing development and support each year. This CPD and practice support may include training (not including initial training), supervision, monitoring, mentoring, shadowing and peer review. The purpose of this CPD and practice support is to offer a framework for mediators to reflect on their practice in a structured way with view to learning and developing their skills.

The Standards Board has the discretion to increase the number of CPD hours required.

Family and Community Mediators must comply with the practice standards set by Relationship Scotland for Family Mediators and the Scottish Community Mediation Network for Community Mediators.

1.1.4 Maintain a portfolio

All Scottish Mediation Registered Mediators are required to establish and maintain a portfolio which can be subject to random checks to ensure that Register requirements are being met.

The portfolio must contain the following:

- Initial Training Certification
- Log of Mediations/Mediation hours undertaken
- Log of CPD hours and CPD certificates
- Certificate of Insurance
- Annual Training and Development Plan

1.1.5 Code of Conduct

As a minimum the mediator shall practice in accordance with the Scottish Mediation Network's Guidelines for the Practice of Mediation in Scotland being consistent with the European Union Model Code of Conduct for Mediators or such other code that accepts the Scottish Mediation Network Guidelines as a minimum.

1.1.6 A system for addressing concerns

A mediator must have in place a written procedure for addressing concerns and handling complaints and keep written records of any complaints. The Practice Standards Group will set out a fair process for handling concerns which may lead to the removal of a mediator from the Register for failing to meet the practice standards.

All Scottish Mediation Registered Mediators should inform clients that when their own internal complaints handling process has been exhausted, the clients can, if they wish, take a complaint to the Standards Board.

1.1.7 Appropriate Insurance

The mediator must have appropriate insurance in place for the activities that the mediator undertakes.

1.1.8 Verification Process

Enabling Conflict Resolution

All Registered Mediators are required to maintain a portfolio of evidence which demonstrates that they meet the Practice Standards required for registration. Each year a random sample of 10 – 15% of Registered Mediators will be asked to produce their portfolio for verification.

1.1.9 Effect date and transition period

The Practice Standards take effect from 1st June 2011.

Mediators who are members of the Scottish Mediation Register paid before 1st June 2011 will be deemed as having satisfied the requirements of the Practice Standards for the 2011-2012 membership year.

A transition period of 12 months from 1st June 2011 will enable mediators to acquire the necessary evidence/build up portfolio to demonstrate that they meet the requirements for admission to the register for further membership years.