

## Practice Standards: 1 April 2021

**From the 1 April 2021 all mediators when renewing practitioner status will require to provide information that they have met the new revised standards.**

### 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: number of Mediations**
  - 1.1.3 Number of **Mediation hours**
  - 1.1.4 Post-training **Continuing Practice Development (CPD) and practice support**
  - 1.1.5 Establishing and **maintaining a portfolio** of evidence
  - 1.1.6 Adherence to an appropriate **code of conduct**
  - 1.1.7 An appropriate **system for addressing concerns** and handling complaints
  - 1.1.8 Appropriate **Indemnity Insurance**
  - 1.1.9 **Verification Process**

#### 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: number of mediations**

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. This experience must take place following initial training.

For mediators renewing their practice status **4** mediations in the past 24 months and not less than **12** hours conducting mediations in the past 24 months. This experience must take place following initial training.

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 Mediation Hours**

Admission to the Scottish Mediation Register requires completion of initial training plus 6 hours conducting mediation in the past 12 months.

For Mediators renewing their practice status should undertake not less than **12** hours conducting mediation in past 24 months. Working on the principle for Number of Mediations detailed above, we would be looking for a mediator to achieve a rolling average of 6 hours per 12 month period.

### **1.1.4 Continuing Practice Development (CPD) and practice support**

Admission to the Scottish Mediation Register requires mediators to plan undertake and review a minimum of 18 CPD points worth of continuing development and support in the 12 months leading to application. 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.

\*CPD points are awarded as follows.

Training (not initial training) – 1 point per hour

Participation in Supervision/Peer Review/– 2 points per hour

Recorded self-reflection on a mediation case – 1 point per hour

Attendance at relevant workshop/lecture/seminar/conference - 1 point per hour

Presentation of relevant workshop/seminar/conference – 2 points per hour

Self-development – books/articles/videos with recorded learning – 1 point per hour with a maximum of 3 points in 12-month period (6 points in a 24 month period).

Mediators renewing their practice status are required to plan, undertake and review a minimum of **36** CPD points of continuing development and support within 24 months. 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.

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.

#### **1.1.5 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

#### **1.1.6 Code of Conduct**

As a minimum the mediator shall practice in accordance with Scottish Mediation 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 Guidelines as a minimum.

#### **1.1.7 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 Committee for Excellence in Mediation 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 Committee for Excellence in Mediation.

#### **1.1.8 Appropriate Insurance**

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

#### **1.1.9 Verification Process**

All Registered Mediators are required to maintain a portfolio of evidence which demonstrates that they meet the Practice Standards required for registration. Submission of the portfolio will be required at the annual renewal.