

Prepare and set up mediation

Overview

This standard is about mediation services. It is aimed at people who prepare for and set up mediation services for others.

The standard looks at how to establish the appropriateness of the mediation process with clients and how to agree the conditions and boundaries of the mediation process.

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Performance criteria

You must be able to:

1. explain your role in mediation processes in line with organisational requirements
2. explain how impartiality will be maintained in mediation in line with organisational requirements
3. carry out risk assessments for mediation that meet the needs of clients and organisational requirements
4. check that locations and environments for mediation are appropriate to the needs of clients and risk assessments
5. explain the purpose and principles of mediation processes at a pace and using language appropriate to clients
6. explain potential limitations of mediation in line with clients needs
7. check clients' understanding of the mediation process clarifying information when required in line with organisational requirements
8. encourage clients to ask questions to help them decide on the appropriateness of mediation for their situation
9. encourage clients to express their concerns about mediation processes
10. establish clients' commitment to mediation processes in line with their needs
11. treat clients in ways which promote co-operation and the positive use of mediation in line with recognised good practice
12. explain alternative options in situations where mediation or the use of particular mediators are inappropriate
13. apply principles of mediation in consistent ways throughout the process
14. devise relevant strategies to bring clients in dispute to mediation processes
15. obtain clients consent to proposed mediation models and conditions
16. agree principles of balanced participation of both clients in line with their needs
17. establish the nature and appropriateness of issues for mediation according to the needs of clients
18. comply with all relevant legal, professional and organisational requirements and guidelines when preparing for and setting up mediation
19. record information in line with organisational requirements

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Knowledge and understanding

You need to know and understand:

1. the importance of complying with relevant legal, professional and organisational requirements and guidelines
2. legislation, codes of practice, organisational policies and procedures in relation to job role/activities undertaken
3. the principles of mediation
4. how to check clients' understanding and how to help them understand information given to them
5. how to treat clients in ways which promote co-operation and the positive use of mediation
6. communication styles and how to adapt them to suit the needs of clients
7. how to establish commitment from clients and what this is likely to involve including;
 - 7.1 encouraging parties' informed decisions
 - 7.2 autonomy and reviewing other options
8. alternative options including referral to other agencies or mediators
9. the models and components of the mediation process
10. the environments that may be most conducive for effective communication
11. how mediation relates to the legal position for clients
12. the roles and responsibilities of those involved in the mediation process
13. recording requirements of your organisation, including how to store recorded information securely

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