

Appendix 1

GUIDELINES

AMDRAS TRAINING and ASSESSMENT FRAMEWORK (TAF)

Background to guidelines

1. Various provisions of the AMDRAS Standards ('Standards') authorise the AMDRAS Board to issue guidelines governing the content and nature of the required training and assessment of Registered Practitioners. This Appendix 1 contains the current guidelines. They form part of the Standards.

The guidelines provide a checklist of material relevant to the Certificate of Training (COT), the Certificate of Assessment (COA), and the Practicum Certificate. Their purpose is to ensure that Recognised Providers and others wishing to provide AMDRAS-recognised COT and COA courses, and the Practicum Certificate, provide courses that are consistent with the Standards. The Board may amend, add to, delete, or replace any or all of the guidelines.

2. Under clause 85 of the Standards:
 - (a) guidelines are binding and must be followed (unless the guidelines state otherwise).
 - (b) guidelines are to be interpreted so far as possible as being consistent with Parts 1–8 of the Standards.
 - (c) there is no inconsistency merely because a provision in the guidelines is more detailed than the relevant provision in Parts 1–8 of the Standards.
3. Terms defined in the AMDRAS Standards have the same meanings in this Appendix.

Summary of accreditation requirements

4. Table 1 summarises the requirements for accreditation at the different levels of Registered Practitioner.

Table 1: Accreditation Level Requirements

Level of Accreditation	Course & Training Hours Required	CPD Hours Required *	Practice Hours Required *
Accredited Mediator	COT + COA: 45 hours initial training + assessed simulation(s) and written assessment(s)	25 hours	20 hours
Advanced Mediator	Practicum: 12 hours	25 hours	40 hours
Leading Mediator	Not applicable (see Standards, clause 16)	25 hours	40 hours

Specialist Practitioner	Variable (see Standards, clause 17)	25 hours	40 hours
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*Note: These hours are calculated over the two-year accreditation period. A minimum of one-third of these hours should preferably be completed within the first year of the accreditation period.

5. The AMDRAS also allows alternative ways of seeking accreditation.

Certificate of training (COT)

6. The COT is awarded to persons who have completed the initial training course for AMDRAS accreditation.

Note: The course may be undertaken whether the person wishes to seek AMDRAS accreditation, or merely wishes to add dispute-resolution processes and skills to their qualifications.

Course objectives

7. The COT course has the following general objectives:
- (a) to increase participants' self-awareness of their conflict and negotiation styles, and the relevance of those styles to professional non-determinative dispute resolution (NDR) practice generally and mediation practice specifically.
 - (b) to introduce participants to the conceptual basis of NDR and mediation theory and practice.
 - (c) to improve participants' ability to provide NDR and mediation services in a variety of contexts.
 - (d) to introduce participants to a variety of skills, tactics and strategies employed in NDR and mediation interventions.
 - (e) to increase participants' awareness of the range of ethical and practice issues in NDR and mediation practice.
 - (f) to introduce participants to the Professional Domains and underlying Attributes and the Code of Ethics.
 - (g) to ensure that participants can find and interpret information within the AMDRAS, including AMDRAS's role in governing Registered Practitioners.

The course content must reflect these objectives.

Course format and duration

8. The COT course must:
- (a) provide a balance between skills, theory, and reflective practice; and

- (b) incorporate multiple approaches, including role-plays and exercises interspersed with presentations and discussions about the practical application of skills.
9. The Registered Training Provider (RTP) must give all participants:
- (a) relevant written material through a workbook/handbook format, and/or online material; and
 - (b) links to appropriate texts and journal articles to support learnings.

The workbook/handbook (whether provided electronically or in hard copy) must include a selection of references and other resources to supplement the skills-development focus of the course.

10. The COT course must be at least 45 hours long.
11. The 45 hours must include:
- (a) approximately one-half (or 22.5 hours) focussed on the required 9 simulated mediations, relevant debriefing, and follow up course-specific sessions on issues that have arisen from the simulated mediations.
 - (b) the remaining one-half (or 22.5 hours) focussed on the Professional Attributes (ie, knowledge, skills, ethics and responsibilities, and professional development), and relevant conflict and negotiation theory.
12. The content delivery should encompass appropriate adult learning principles. This allows the actual 'mix' of various Professional Attributes to vary between courses, depending on the trainee cohort.

Course content

13. The COT course must:
- (a) emphasise the facilitative mediation process; and
 - (b) discuss other NDR and mediation structures (eg, shuttle, co-mediation) and how they interact with legislative and other professional frameworks that may apply; and
 - (c) include content relating to the 4 Professional Practice Domains (Professional Knowledge, Professional Skills, Professional Ethics and Responsibilities, and Professional Development) as described in Part 5 of the Standards.
14. Table 2 in this Appendix outlines the course content for the Professional Knowledge Domain. It is designed to impart the essential knowledge that underpins the Professional Attributes in that domain. In preparing and delivering the course, Recognised Training Providers and trainers must take account of Table 2.

Note: Recognised Training Providers and trainers must also take account of Appendix 2 (which is most relevant to the Professional Development domain), and Appendix 4 (which outlines the Professional Skills, and Professional Ethics and Responsibilities Domains).

15. The principal trainer for the COT course must have at least 2 years' experience as a qualified trainer (Certificate 4 or above).

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Table 2: The Professional Knowledge Domain: attributes, focus areas, and indicative levels of attainment

Knowledge attributes	Focus areas	Indicative level of attainment
<p>1. Understands conflict and the way people behave when they are in it.</p>	<p>1.1 Understands the characteristics of conflict and how people and groups respond to it.</p>	<p>1.1.1 Participants can list common types and sources of conflict that might arise between individuals or within groups. They can also compare conflict's constructive and unconstructive characteristics to identify the elements that tend to form the basis of disputes. (For example, constructive conflict may feature collaboration and problem solving to generate new ideas or important change. In contrast, unconstructive conflict may dehumanise people or attribute motives to cast the 'other' as inherently bad or lesser.)</p>
	<p>1.2 Understands the characteristics of people in conflict.</p>	<p>1.2.1 Participants can list the characteristics of people in conflict and situate them within an existing framework or structure (eg, the five core concerns, the satisfaction triangle, Thomas Kilmann conflict modes, etc).</p>
<p>2. Understands the factors that play a role in conflict and dispute resolution.</p>	<p>2.1 Understands the role of self-determination in conflict and dispute resolution.</p>	<p>2.1.1 Participants can explain the role of self-determination in conflict and dispute resolution, including the circumstances in which the context or situation may be a factor in shaping that role.</p> <p>2.1.2 Participants should understand the role and impact on self-determination of interventions such as reality testing.</p>
	<p>2.2 Understands the role of emotions in conflict and dispute resolution.</p>	<p>2.2.1 Participants can distinguish between typical and atypical manifestations of emotions in conflict, including the extent to which they may need to account for cultural, psychological, or other contextual differences. (For example, a typical manifestation of emotion in one culture may be atypical in another culture, or the presence of trauma may trigger an unanticipated emotional response.)</p>
	<p>2.3 Understands the dynamics of power and violence in conflict and dispute resolution.</p>	<p>2.3.1 Participants can compare overt and covert manifestations of power and/or violence in conflict, including how this plays out in dispute resolution (eg,</p>

		<p>understanding how the stress response can impact on participants in conflict, including through minimising, behavioural triggers, various forms of manipulation or intimidation, such as diversion, trivialising, impression-management, micro-aggressions, threats, etc).</p>
	<p>2.4 Understands that diversity and inclusion influence experiences of conflict and dispute resolution</p>	<p>2.4.1 Participants can identify ways in which experiences of conflict or dispute resolution may differ for those who vary in some way from the prevailing cultural or societal norms (eg, how might the experiences of First Nations people, LGBTQIA+ people, refugees, autistic people, people experiencing mental illness, etc, differ from people who are cis-gendered, heterosexual, abled, middle-class and/or white?).</p>
	<p>2.5 Understands the role of empathy in conflict and dispute resolution.</p>	<p>2.5.1 Participants can distinguish the different roles that empathy may play in dispute resolution, including the practitioner showing empathy for the parties compared to the practitioner helping the parties to show empathy for each other.</p>
	<p>2.6 Understands the role of perspective taking in conflict and dispute resolution.</p>	<p>2.6.1 Participants can describe the role of perspective-taking in conflict and dispute resolution.</p>
<p>3. Knows the principles and models for non-determinative dispute resolution, the process of mediation, and the roles or functions of the people involved with a focus on facilitative mediation.</p>	<p>3.1 Knows the principles of mediation, including what makes a matter suitable for a given process.</p>	<p>3.1.1 Participants can compare the principles of facilitative mediation with the principles of other forms of non-determinative dispute resolution (eg, other styles of mediation, negotiation, conciliation, restorative practice, hybrid).</p>
	<p>3.2 Knows the mediation process.</p>	<p>3.2.1 Participants can explain the elements or features that distinguish the facilitative mediation process from other forms of mediation or NDR and can understand the interaction between these various elements.</p>
	<p>3.3 Knows the role of the third-party intervenor/mediator.</p>	<p>3.3.1 Participants can compare the role of the facilitative mediator with the role of practitioners in other forms of mediation or NDR.</p>
	<p>3.4 Knows the role of the parties.</p>	<p>3.4.1 Participants can describe the role of the parties in facilitative mediation.</p>

	3.5 Knows the role of support persons, lawyers, and other professionals	3.5.1 Participants can describe the role of support persons, lawyers, and other professionals in facilitative mediation.
4. Knows a range of strategies or techniques for resolving conflict and when to use them.	4.1. Knows negotiation strategies or techniques.	4.1.1 Participants can describe the characteristics of interest-based negotiation and their function in resolving conflict, particularly within a facilitative mediation context (eg, seven elements, negotiation stage, prioritisation of interest-focused options, BATNA, etc).
	4.2 Knows problem-solving strategies or techniques.	4.2.1 Participants can identify problem-solving strategies to achieve stated goals or fulfil parts of a given non-determinative dispute resolution process (eg, brainstorming, SWOT analysis, root cause analysis, 5 whys, considering alternatives, developing multiple options, etc).
	4.3 Knows communication strategies or techniques, including transitional communications skills, reported speech, reframing skills, and reality-testing strategies or techniques.	<p>4.3.1 Participants can identify communication strategies to achieve stated goals or fulfil parts of a facilitative mediation or other non-determinative dispute resolution process (eg, rephrasing to neutralise inflammatory language, open-ended questioning to elicit information, open body posture to suggest openness to ideas, transitional questions and statements, timely exchange of documents).</p> <p>4.3.2 Participants can identify reality-testing strategies to achieve stated goals or fulfil parts of a given NDDR process (eg, seeking expert advice or opinion, providing statistical information about typical outcomes, etc).</p>
5. Understands the requirement for fairness, safety, and protection against misuse of the process.	5.1 Can describe ways in which even-handedness typically manifests in NDR.	5.1.1 Participants can describe ways in which even-handedness typically manifests in facilitative mediation and NDR processes.
	5.2 Understands the requirement for managing power and safety.	5.2.1 Participants can identify managing power and safety as an inherent requirement in facilitative mediation and NDR processes and can cite examples that would require the mediator to refuse to commence, to suspend and/or to terminate the process.

6. Understands their ethical, professional, and legal obligations.	6.1 Understands the professional obligations of an AMDRAS Registered Practitioner.	6.1.1 Participants can identify the AMDRAS as the framework governing the professional obligations of accredited mediators, including expectations about professional interactions and representations, ongoing professional development and competence, and complaints handling.
	6.2 Understands the requirement for protecting against the misuse or abuse of the process.	6.2.1 Participants can identify protecting against misuse and abuse of the process as an inherent requirement in facilitative mediation and can cite examples where it would be appropriate for a mediator to refuse to commence, to suspend and/or to terminate the process.
	6.3 Understands the ethical obligations of a Registered Practitioner.	6.3.1 Participants can identify the legal and regulatory frameworks which typically apply to facilitative mediators and NDR practitioners (eg, the various federal and state-based Civil Procedure Acts, the Uniform Evidence Acts, the Legal Profession Uniform Laws, 'without prejudice' privilege, etc).
7. Understands the scope and types of guidance or advice offered by non-determinative dispute practitioners.	7.1 Understands the scope and types of information, guidance, or advice on the cultural, psychological, or social context ('sociocultural or psychological') applicable.	7.1.1 Participants can list examples of 'socio-cultural or psychological' information, guidance or advice that are typically permissible within a facilitative mediation (eg, advice to avoid scheduling a mediation during a religious festival, and guidance on the inclusion of young people).
	7.2 Understands the scope and types of information, guidance, or advice on procedural matters, including the process if no agreement is reached ('procedural').	7.2.1 Participants can list examples of 'procedural' information, guidance, or advice typically permissible within a facilitative mediation (eg, what to expect from the facilitative mediation process, the role of mediator, at what stage the parties can suggest options for resolution, the process if the parties don't attend, etc).
	7.3 Understands the scope and types of information, guidance, or advice respectively upon substantive matters, merits, options, and outcomes.	7.3.1 Participants can list examples of 'substance', merits, options and outcomes-based information, guidance or advice which are typically permissible within a facilitative mediation or NDR process (eg, information about common topics for the agenda as part of intake or during the agenda-setting phase, indirect guidance via reality testing in

		private sessions, suggesting further options, etc).
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Certificate of assessment (COA)

Overview

16. The Certificate of Assessment (COA) is awarded to candidates who have successfully completed the required assessment following their Certificate of Training (COT) or who have satisfied the 'alternative pathways' requirements.
17. The COA entitles its awardee to apply for accreditation as a Registered Practitioner.
18. The assessment must:
 - (d) Be conducted by assessor(s) who were not part of the training team for the candidate's COT course; and
 - (e) use a standardised assessment tool to ensure fair and consistent assessment.

Assessment content and timing

19. The assessment consists of:
 - (a) participation in a simulated mediation of at least 2 hours (but no more than 2.5 hours) that demonstrates the various stages in the mediation process model; and
 - (b) a written assessment, of 1200 words, in the form of a test, journal or assignment (or a combination of these), designed to consolidate learning and promote reflective practice.

Reasonable adjustments can be made to take account of disabilities or linguistic and cultural backgrounds.

20. Candidates for the COA must undertake their assessment within 6 calendar months of completing their COT course.

Simulated mediation

21. The simulated mediation may be conducted:
 - (a) live (either face-to-face or via an online platform), or

- (b) as a recorded session (under appropriate supervision) for review by an assessor later.
22. The AMDRAS Board must give Recognised Providers a template of the various stages of the mediation process and the skills required. A Recognised Provider may modify the template to suit its own needs but must give a copy to the Board. The Board may refuse the modification.
 23. Subject to any template given under clause 22, the simulation must include all stages of the mediation process, including reaching agreement (where possible). If the agreement stage is not reached or is not possible, then the Recognised Provider may require an additional assessment task that focuses on this aspect of the process.
 24. Where possible, the Recognised Provider should record live simulations, for use in any later review process should the candidate be unsuccessful.
 25. The Recognised Provider must ensure that:
 - (a) each candidate receives, at least 24 hours before the simulation, all relevant materials for the simulation, including any role play material relevant to the candidate's participation.
 - (b) each candidate's participation in the simulation is observed by an authorised and independent assessor, who must not provide any simultaneous feedback or coaching to the candidate.
 - (c) the assessment results for simulations are completed within 10 working days of the live simulation or receipt of the recording.
 26. The Recognised Provider should schedule no more than 3 simulated mediations in any one day for each assessor they employ.
 27. Assessors must indicate start and finishing times for simulations, but otherwise participants must manage their own time.
 28. The Recognised Provider may provide practice sessions in preparation for the simulated mediation or as part of an assessment workshop. However, practice sessions are not included in the formal assessment process.

Written assessment

29. Before or when releasing the topic(s) of the 1200-word written assessment, the Recognised Provider must advise candidates of:
 - (a) the assessment objectives.
 - (b) the process for submitting written material.

- (c) the due date for submitting the assessment (normally within 10 working days of their simulated mediation).

Review process

- 30. Recognised Providers must have in place policies for reviewing assessments. They must give a copy of the policies:
 - (a) to the Board, and
 - (b) to candidates before they submit their assessments.
- 31. The Recognised Provider's policies must ensure that reviews of simulated mediations:
 - (a) are conducted by independent third-party assessors authorised by the Recognised Provider; and
 - (b) are documented.

The Practicum Certificate

Overview

- 32. The Practicum Certificate course focuses on practical skills and self-reflection. It should give participants the opportunity to share and discuss issues arising from their practice experience and allow them to give and receive constructive critical feedback.
- 33. A person may not apply for entry to the Practicum Certificate course unless they were awarded a Certificate of Assessment at least 2 years earlier.

Practicum Certificate course learning objectives

- 34. The Practicum Certificate course focuses on advanced or more complex issues, to update and refine participants' skills, practices, and theoretical perspectives. It has the following objectives:
 - (a) to identify practice obstacles and challenges in mediation, and ways of overcoming them.
 - (b) to identify and demonstrate an understanding of the purpose, techniques and skills required for each stage of the mediation process.
 - (c) to be more aware of socio-cultural considerations when mediating with culturally and linguistically diverse communities, or with indigenous communities.
 - (d) to identify and demonstrate the characteristics of a mindful and reflective mediator.

Practicum Certificate course duration and framework

35. The Practicum Certificate course is in workshop format, of 12 hours' duration, taken over a period of up to 2 months. It may be conducted in modules (eg, 2 modules of 6 hours, or 4 modules of 3 hours, or any other equivalent).
36. Workshop groups should:
 - (a) be limited to 18 participants to maximise cross-group discussion and involvement, and
 - (b) preferably be face-to-face, and if at all possible, comprise at least 75% face-to-face hours.
37. Each participant must present to the group a case study (suitably de-identified) of a part of a mediation session in which they have been involved. The case study must include at least the following:
 - (a) advanced consideration of the various elements of the Professional Attributes.
 - (b) consideration of an issue that confronted the mediator and how (in the participant's view) it could have been better or differently addressed.
 - (c) a short one-page summary of the issues presented by the case study (in point form if desired).

Participants should illustrate their case studies by role play and other means of demonstrating the various skills and interventions.

Practicum Certificate assessment

38. Assessment is by means of an 800–1000 word written outline of their case presentation and discussion. The participant must give the outline to their Practicum facilitator within 7 days after they have presented to the group. The facilitator must mark the outline as 'satisfactory' or 'not satisfactory', giving reasons, in conformity with the Practicum Certificate course learning objectives.
39. If a candidate requests, the Registered Provider must provide a template for the case study.

Further guidelines, etc, may be provided by the AMDRAS Board

40. From time to time the Board may issue further guidelines, templates, and resources to Recognised Providers. The Board must make them available on the Board's website, readily accessible to Registered Practitioners and the public—unless required to be restricted for reasons of confidentiality or to protect the integrity of the courses or assessment exercises.

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