

Appendix 3

AMDRAS CODE OF ETHICS

Registered Practitioners value the trust placed in them to help people manage differences, negotiate difficult situations, and resolve their disputes.

Therefore, as part of their commitment to protecting and upholding public and institutional confidence in their profession, Registered Practitioners commit to:

1. Providing accessible and inclusive services.
2. Supporting self-determination and informed decision-making.
3. Facilitating an even-handed, safe, and ethical process, including:
 - 3.1. protecting against misuse or abuse of process.
 - 3.2. declaring conflicts of interest and avoiding the use of information for personal gain.

Note: The existence of a conflict of interest does not necessarily mean that the Registered Practitioner must withdraw if the parties give informed consent and the Registered Practitioner and the parties are willing to proceed on that basis.
4. Representing their services and competence honestly and transparently, with specific attention to information about:
 - 4.1. the approach they will take or the type of NDR process to be used.
 - 4.2. any fees or charges.
 - 4.3. their competence or experience generally, or in a specialist context or area of expertise.
 - 4.4. any inducements or affiliations.

Example: VCAT employs private mediators to conduct some of its mediations, and the mediators come from different fields. This should be explained to the parties.
5. Meeting their legal, regulatory, and professional obligations, including:
 - 5.1. maintaining confidentiality and data protection.

- 5.2. monitoring and maintaining compliance with their obligations under legislative or regulatory frameworks.
- 5.3. monitoring and maintaining compliance with co-existing professional or specialist obligations related to their practice.
- 5.4. meeting their continuing professional development (CPD) requirements.
- 5.5. interacting professionally and courteously with clients, colleagues, and members of the public.
6. Providing information, guidance, and advice only when competent and authorised to do so, and specifically, only when:
 - 6.1. possessing the requisite level of knowledge, skills, or expertise.
 - 6.2. authorised by the parties.
 - 6.3. authorised by the relevant service provider or dispute-resolution context.
 - 6.4. authorised under their level of accreditation.
 - 6.5. holding relevant professional indemnity insurance.
7. Notifying the parties of the complaints and feedback processes available under the AMDRAS and other relevant professional or statutory arrangements.