

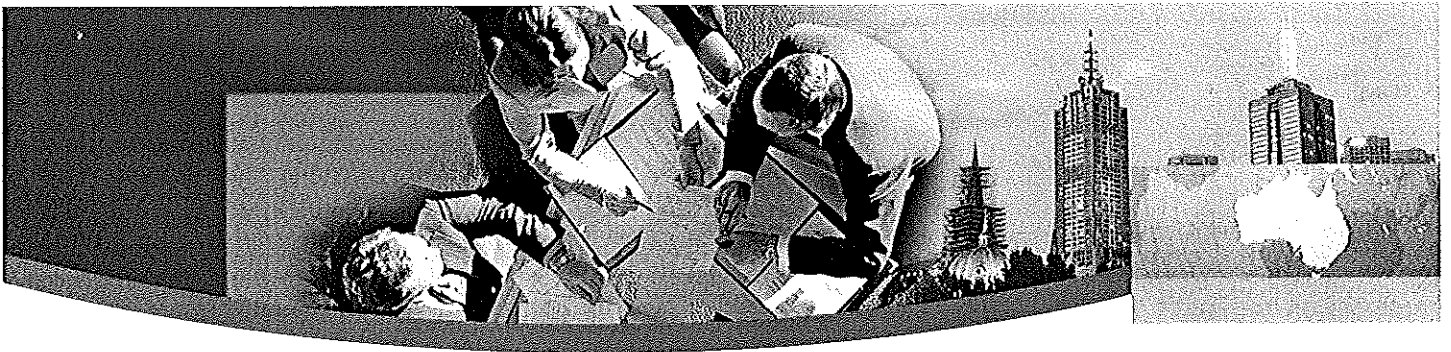
THE
INSTITUTE *of*
ARBITRATORS & MEDIATORS

AUSTRALIA

Australia's leading ADR organisation since 1975



Application for National Accreditation
for
Experience Qualified Practitioners



The Australian National Mediator Accreditation Standards with The Institute of Arbitrators & Mediators Australia

Information for Prospective Applicants

[The following information is for experienced mediators who are seeking accreditation under the National Scheme as “Experience Qualified” practitioners.]

As a Recognised Mediator Accreditation Body (RMAB) under the National Mediator Accreditation Standards (NMAS), IAMA understands its responsibilities to provide access to national accreditation as well as to on-going professional development and support for its nationally accredited mediators.

1. Before seeking accreditation through IAMA you must read:
 - a. This Information Sheet
 - b. The National Approval Standards (available at www.iama.org.au)
 - c. The National Practice Standards (available at www.iama.org.au)
2. When you obtain an Application Form, please read it carefully before collating the additional information you are required to submit with your application
3. On your application form you are required to:
 - a. Declare that you are an Accredited Mediator Member of IAMA
 - b. Declare that you have read and understand your obligations under both the National Approval Standards and the National Practice Standards
 - c. Undertake to comply with any legislation, NMAS and any other requirements specified by IAMA
 - d. Declare that you have the experience, training and skills as well as the knowledge and understanding required by the Core Competencies of NMAS (these are supplied as Attachment A to the Application Form)
 - e. Declare that you can meet the requirements of a police check and are not a “prohibited person”
 - f. Declare that you have no serious convictions that would affect your capacity to mediate and that you have not been disqualified from professional practice
4. As part of your application, you are asked to provide:
 - a. A written record of your compliance with NMAS CPD requirements over the past 2 years
 - b. A written record to demonstrate your practice of mediation prior to January 2008
 - c. Written statements from two referees regarding your good character and your suitability to practice mediation as per the specifications in NMAS; to demonstrate theirs is an informed reference, the referees will be required to state that they have read the National Standards.
5. When you have completed your application form and its attached documentation, please send your application package to IAMA’s National Office.
6. Your application will be assessed by IAMA’s NMAS Committee and you will be notified of the outcome as soon as it is available.



Recognised Mediator Accreditation Body: The Institute of Arbitrators & Mediators Australia

Application for National Accreditation for Experience Qualified Practitioners

Full name of applicant:

Name to be displayed on Certificate of Accreditation:

Email address:

Other contact details:

• Landline phone:

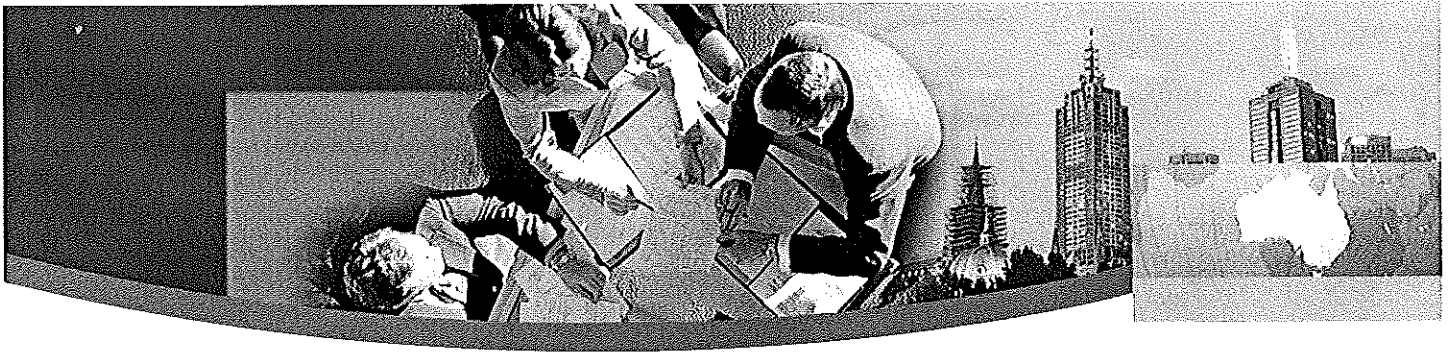
• Mobile phone:

• Postal address:

Applicant Declaration

- I have read and understand my obligations under the National Approval Standards
- I have read and understand my obligations under the National Practice Standards
- I undertake to comply with any relevant legislation, the Practice and Approval Standards and with any other approval requirements specified by IAMA.
- I have attached a current valid certificate of professional indemnity insurance
- I am seeking National Accreditation as an Experience Qualified Practitioner, and:
 - I have attached a written record of my compliance with the continuing accreditation criteria over the past 24 months
 - I have attached a written statement demonstrating that I have worked as a mediator prior to 1 January 2008 and that I have the experience, training and education that will satisfy IAMA that I am equipped with the skills, knowledge and understandings set out in the core competencies referred to in the Practice Standards.

Signature: Date:



Good Character

As an RMAB, IAMA requires you to provide evidence of “good character”. This evidence includes declarations by you, as well as written references from two people who have known you for more than three years and who can attest that that you are:

- Honest and fair
- Suited to mediation practice by reference to your life, social and work experience

NB: Your referees must be able to attest to your capacity to comply with the above criteria as well as to your compliance with the National Standards. You and your referees will need to refer to the National Standards for further information.

Referees

Referee 1.

Full name:

Professional capacity:

Email address:

Telephone contact details:

Referee 2.

Full name:

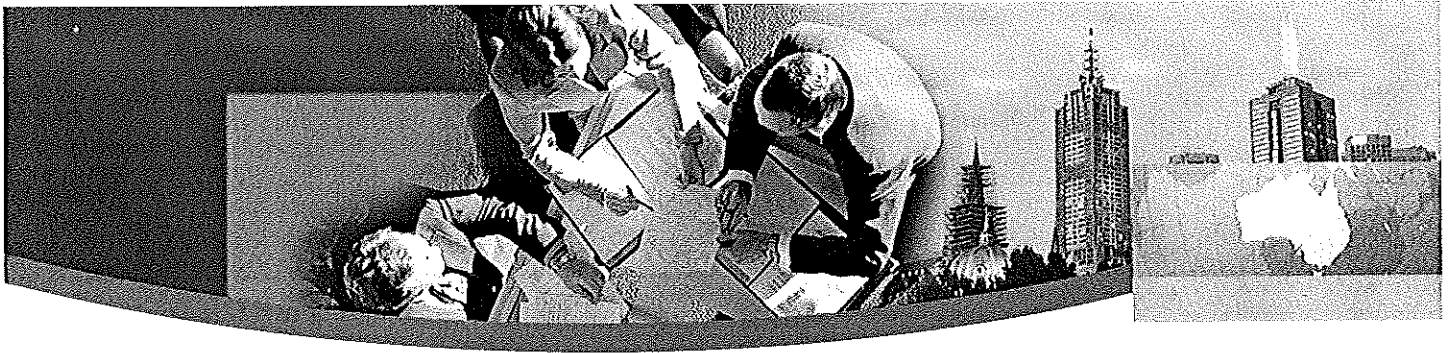
Professional capacity:

Email address:

Telephone contact details:

Personal Declarations

- a) I meet the requirements of a police check in my State/Territory Yes No
- b) I have no serious convictions that would influence my capacity to discharge my mediator obligations in a competent, honest and appropriate manner Yes No
- c) I am accredited with an existing agency that includes a code of conduct for mediators Yes No
- d) I am/not a “prohibited person” in any jurisdiction
- e) I have/not been disqualified (by a professional association) from professional practice in any jurisdiction.



Experience Qualified Practitioners

As per page 8 of the Approval Standards, “Experience Qualified” Practitioners are:

“...those who have been assessed by an RMAB as demonstrating a level of competence by reference to the competencies expressed in the Practice Standards [see attachment]. An experienced qualified mediator must either:

- a. Be resident in a linguistically and culturally diverse community for which specialised skills and knowledge are needed and/or from a rural/or remote community where there is difficulty in attending a mediation course or attaining tertiary or similar qualifications, or*
- b. Have worked as a mediator prior to 1 January 2008 and have experience, training, and education that satisfies an RMAB that the mediator is equipped with the skills, knowledge and understandings set out in the core competencies referred to in the Practice Standards, and who has met the continuing accreditation requirements[...] in the 24 months prior to making an application”*

Your responses to the questions below will be assessed in conjunction with:

- your written record of compliance with the continuing accreditation criteria over the past 24 months,
and
- your written statement demonstrating that you have worked as a mediator prior to 1 January 2008 and that you have the experience, training and education that will satisfy IAMA that you are equipped with the skills, knowledge and understandings set out in the core competencies referred to in the Practice Standards

Personal Declarations

I have worked as a mediator prior to 1 January 2008 and have the experience, training and education that will satisfy IAMA regarding my skills, knowledge and understandings as specified in the core competencies of the Practice Standards and listed in Attachment A?

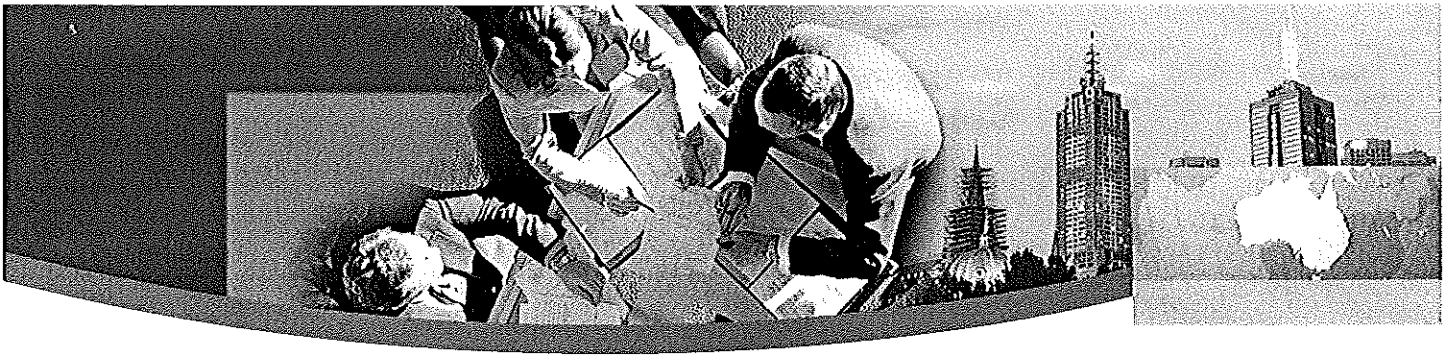
Yes No

I have met the continuing accreditation requirements specified in the Approval Standards and listed in Attachment B?

Yes No

I am currently an accredited mediator member of IAMA

Yes No



Attachment A

Extract: Australian National Mediator Standards, PRACTICE STANDARDS, September 2007

“7 Competence

Mediators must be competent and have relevant skills and knowledge. [...]

- 3) Mediators should be competent and have the capacity to apply knowledge, skills and an ethical understanding and commitment in the areas listed below. Mediators demonstrate competence by showing that they have the requisite knowledge and skills and can apply them. Mediators are required to ensure that ongoing professional development is focused on achieving and maintaining competencies including:

a) KNOWLEDGE

In areas including, but not limited to:

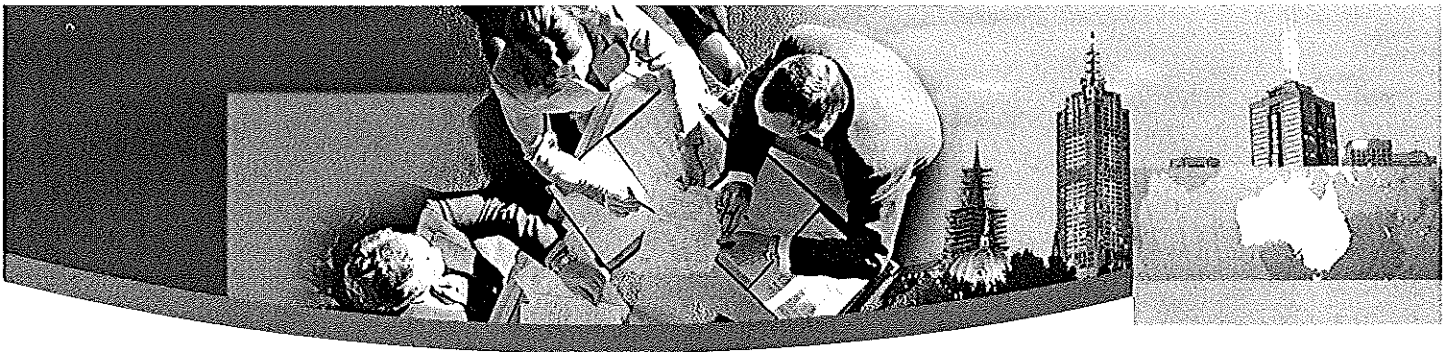
- (i) The nature of conflict, including the dynamics of power and violence.
- (ii) The appropriateness or inappropriateness of mediation.
- (iii) Pre-mediation preparation, screening and intake.
- (iv) Communication patterns in conflict and negotiation situations.
- (v) Negotiation dynamics in mediation.
- (vi) Cross-cultural issues in mediation and dispute resolution.
- (vii) The principles, stages and functions of a mediation process.
- (viii) The roles and functions of mediators.
- (ix) The roles and functions of support persons, lawyers and other professionals in mediation.
- (x) The law of mediation on confidentiality, enforceability of mediated agreements and liability of mediators.

b) SKILLS, including, but not limited to:

- (i) Preparation and dispute diagnosis in mediation.
- (ii) Intake and screening of both the parties and the dispute to assess suitability for mediation.
- (iii) Conduct and management of the mediation process.
- (iv) Appropriate communication skills, including listening, questioning, reflecting and summarising, required for the conduct of mediation.
- (v) Negotiation techniques and the mediator's role in facilitating negotiation and problem-solving.
- (vi) Mediator interventions appropriate for standard difficulties in mediation
- (vii) Potential responses to high emotion, power imbalances and violence.
- (viii) Use of separate meetings and shuttle mediation.
- (ix) Asking questions about or in appropriate circumstances, drafting of mediated agreements.

c) ETHICAL UNDERSTANDINGS in relation to:

- (i) The avoidance of conflicts of interest.
- (ii) Marketing and advertising of mediation.
- (iii) Confidentiality, privacy and reporting obligations.
- (iv) Neutrality and impartiality.
- (v) Fiduciary obligations.
- (vi) Supporting fairness and equity in mediation.
- (vii) Withdrawal from and termination of the mediation process.”



Attachment B

Extract: Australian National Mediator Standards, APPROVAL STANDARDS, September 2007

“6 Continuing Accreditation Requirements

- 1) Mediators who seek to be reaccruited must satisfy their RMAB that they continue to meet the approval requirements set out in Section 3 of this document. In addition mediators seeking re accreditation must, within each two-year cycle, provide evidence to the RMAB that they have:
 - a) sufficient practice experience by showing that they have either:
 - i) conducted at least 25 hours of mediation, co-mediation or conciliation (in total duration) within the two year cycle; or,
 - ii) where a mediator is unable to provide such evidence for reasons such as, a lack of work opportunities (in respect of newly qualified mediators); a focus on work undertaken as a dispute manager, facilitator, conflict coach or related area; a family, career or study break; illness or injury, an RMAB may require the mediator to have completed no less than 10 hours of mediation, co-mediation or conciliation work per two-year cycle and may require that the mediator attend ‘top up’ training or reassessment; and,
 - b) have completed at least 20 hours of continuing professional development in every two-year cycle that can be made up as follows:
 - i) attendance at continuing professional development courses, educational programs, seminars or workshops on mediation or related skill areas as referred to in the competencies (see the Practice Standards) (up to 20 hours);
 - ii) external supervision or auditing of their clinical practice (up to 15 hours);
 - iii) presentations at mediation or ADR seminars or workshops including two hours of preparation time for each hour delivered (up to 16 hours);
 - iv) representing clients in four mediations (up to a maximum of 8 hours);
 - v) coaching, instructing or mentoring of trainee and/or less experienced mediators (up to 10 hours);
 - vi) role playing for trainee mediators and candidates for mediation assessment or observing mediations (up to 8 hours);
 - vii) mentoring of less experienced mediators and enabling observational opportunities (up to 10 hours).”

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— (A) —
AUSTRALIA

Australia's leading ADR organisation since 1975

The Institute of Arbitrators & Mediators Australia (IAMA) is the nation's largest, independent and most experienced alternative dispute resolution (ADR) organisation. Founded in 1975, membership comprises some of Australia's eminent and experienced ADR professionals drawn from a diverse range of sectors including commercial, legal, education and government. With offices in all states and territories, it also plays a key role in industry and consumer schemes. The IAMA provides services in all forms of ADR including arbitration, mediation, conciliation, adjudication and expert determination, and is involved in the professional development, training and accreditation of ADR practitioners across Australia and internationally.

The Institute provides:

Dispute Resolution Services:

- Access to a wide range of highly qualified and experienced dispute resolvers, who have been graded as Arbitrators, or accredited as mediators, adjudicators and/or other ADR practitioners.
- Nomination of arbitrators, mediators, adjudicators and other ADR neutrals from lists of practitioners accredited by the Institute on the basis of their training and experience and compliance with the Institute's CPD requirements.
- *Rules for the Conduct of Commercial Arbitrations* (incorporating the Expedited Arbitration Rules).
- *The Arbitration Rules* (incorporating the Fast Track Arbitration Rules).
- *Conciliation & Mediation Rules*.
- *Expert Determination Rules*.
- Administered Industry-based Consumer Dispute Resolution Schemes.
- Practice Notes for Practitioners.
- Assistance in dispute resolution process selection or design, and available practitioners.

Education and Training:

- *The Professional Certificate in Arbitration* (in conjunction with the University of Adelaide and provider universities across Australia).
- *The Practitioner's Certificate in Mediation*.
- Training programs in other forms of ADR, such as adjudication, expert determination and conciliation.
- A high quality Continuing Professional Development Program delivered across Australia, covering arbitration, mediation, adjudication, conciliation, expert determination (and appraisal) and other forms of ADR.
- Pupillage training and experience for newly-qualified practitioners.

Other Services:

- A high quality refereed journal, *The Arbitrator & Mediator*.
- A national newsletter, *The IAMA News*, distributed widely throughout Australia and internationally.
- Website database of accredited and graded ADR professionals.
- The central administration of the Institute is conducted from the National Office which is located in Melbourne. Chapter offices in all States and Territories provide administrative services, as well as regular educational and networking activities, Chapter newsletters etc.
- Dispute Resolution Centre with excellent hearing rooms facility located in Sydney.
- Annual National Conference, featuring an interesting and varied program dealing with topics of interest in ADR.

High Quality Professional Dispute Resolution Services, Education and Training

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