



International Mediation Institute

PROFESSIONAL MEDIATION WORLDWIDE

Promoting Consensus and Access to Justice

www.IMImediation.org

ICFML—Instituto de Certificação e Formação de Mediadores Lusófonos

IMI Qualifying Assessment Program

About the Organisation

Organisation's full legal name	ICFML Instituto de Certificação e Formação de Mediadores Lusófonos
Year formed, and under which jurisdiction	2011 Portugal
Organisation's contact details	Rua Dr. Baltazar Rebelo de Sousa, edifício Galeria Nova, 1.º, loja 17, 4890-377 Celorico de Basto
Submission type	Alteration to existing approved QAP/MAQAP
Feedback Digest support	Yes
Locations and Languages	Portuguese Speaking Countries
Existing CMTF	No
Program assesses experienced mediators who have completed at least 20 mediations/200 hours of mediation	Yes

Mediator Experience

The Qualifying Assessment Program (QAP) must include a methodology for ensuring that Applicants have demonstrated to the satisfaction of the Program's Assessors a substantial level of experience as a mediator. The QAP must include clearly identified criteria on this requirement.

The ICFML system features different levels of certification, leading to IMI certification. The Mediador Certificado ICFML, is the first level, and can be taken with a small amount of experience. The second level is the Mediador Certificado Avançado ICFML, for which the mediator needs to have more experience. The Master level is only available when the mediator has significant, long-term proven experience. ICFML defined a 3 steps certification process in accordance with the level of development of mediation in the CPLC countries, and the candidates for the IMI certification are at level 3 of this process.

Experience criteria is based on:

1. The logbook that must contain at least 20 full-scale mediations or 200 mediated hours in the last 3 years;
2. Self-Assessment prepared by the mediator;
3. Feedback Digest (compliant with the IMI guidelines). This Feedback Digest is based on those mediations and then be prepared by an independent reviewer. The reviewer can be someone chosen by the candidate or ICFML can appoint a reviewer. ICFML acts as independent reviewer for these candidates and also helps the candidate with the self-assessment. ICFML process guidelines indicate that candidates need to submit the Feedback forms to create the Feedback Digest.
4. Candidates must proof that at least 50% of those mediations were paid mediations.

Mediation Knowledge

The QAP must include a methodology for determining that Applicants have demonstrated a strong understanding of general mediation theory and practice which may be based on written tests, essays, reports, theses interviews and/or other testing platforms.

1. Candidates must have completed at least 40 hours advanced mediation training which should cover at least the following topics:
 - a. principles and aims of mediation;
 - b. attitude and ethics of the mediator;
 - c. phases of the mediation process;

- d. traditional settlement of a dispute and mediation;
 - e. indication, structure and course of mediation;
 - f. legal framework of mediation;
 - g. skills and techniques of communication and negotiation;
 - h. skills and techniques of mediation.
 - i. mediation and ICT (information and communications technology)
- ICFML checks the content of the training certificate before accepting the applicant.
2. Candidates must show evidence of their mediation training in the form of a certificate delivered by their training institute. Applicants can also provide proof of a graduate or postgraduate qualification in negotiation or ADR.
 3. Candidates will have to successfully pass a written test.
 4. Candidates will have to provide certificates of attendance on a yearly basis showing that they are taking part in a continuing education program.

Mediator Skills

The QAP must include a methodology for the evaluation of candidates' performance in terms of the occurrence and effectiveness of mediation process and mediation techniques, against high competency benchmarks. The Evaluations/Assessments may be based on roleplay or live action assessments, and may include videotaped and online assessments such as web dramas, self-assessments, interviews, peer reviews, user feedback and other in-practice skill evaluations.

The Candidates' skills assessment will include:

1. User feedback forms of at least 5 mediations conducted by the applicant;
2. A live role-play mediation that is video-taped. The criteria used by the assessor are based on Chris Honeyman's NIDR Performance-Based Assessment.
<http://www.convenor.com/uploads/2/3/4/8/23485882/method.pdf> and are defined in the annex 'competency framework for assessments'. The role-play participants will be academics, researchers or mediators selected by the ICFML Accreditation Committee.

Program Transparency

The benchmarks and criteria applied by the QAP must be published and be openly accessible on the organization's website. Details of all approved programs will be listed on the IMI web portal www.IMImediation.org and will include a direct link to the credentialing organizations' websites. Responses call for the link (if available), or the reasoning why it is not included and the timeframe for publishing.

The QAP's benchmarks and criteria are published and openly accessible on our organization website www.icfml.org.

Program Integrity

Each Assessor must have substantial experience of assessing the performance of mediators. At least one of the Assessors on each Program must be independent of the QAP. Responses call for the criteria applied in appointing Assessors, any independence requirements, and how independence is determined.

The assessors will have to satisfy the following criteria:

1. Be fluent in Portuguese language;
2. Have a substantial mediation experience (for instance being an IMI certified mediator);
3. Have judged at least 10 role-plays in international mediation moots or assessments;
4. Have signed a protocol with ICFML mentioning the collaboration procedures, costs and quality commitment rules.

Assessors are independent from the training faculty and ICFML. All people involved in the assessment process sign an integrity declaration for each candidate. Integrity declaration in annex.

Ongoing Monitoring of Programs

The QAP must include a process for the ongoing monitoring of the performance and practice of the Assessors. IMI will liaise closely with all recognised program organizers to maintain a sustainable quality control system.

All the assessments are organised and monitored by ICFML. This person watch over the defined assessment process and do the necessary for the session so the certification session is as planned. Selection and briefing of each assessor is done by the president of ICFML Ana Maria Gonçalves before the appointment in the ICFML assessors group. At the

minimum there are two annual meetings of all the ICFML assessors together where assessment criteria application is discussed. For assessors we use the following performance and practice monitoring tools to guarantee a high level of professionalism and impartiality, although we know that we cannot avoid 100% subjectivity of evaluation. Here is what we do to reduce to the maximum subjectivity:

1. Training of the assessors on the certification process When a person is chosen to be part of the panel of assessors of ICFML this person needs to follow a process that is:
 - participation in 2 sessions of training - one training about the mediation process and another about the criteria
2. Validation of the first 5 evaluations by a peer in the group. This means that the first 5 evaluations done by this new assessor another assessor more experienced also do it and then they connect together to discuss the results
3. Explanation of each one of the criteria with connected to each criteria the behaviour that the assessor shall see from the participant. This explanation is done on the second training that the examiner has.

IMI representatives will be welcome as observers of the assessment sessions.

Commitment to Diversity

The QAP must be made accessible on an equal basis to experienced mediators regardless of their professional affiliations, gender, race, ethnicity, age, religion, sexual orientation or other personal characterization.

The ICFML QAP will be accessible on equal basis to all mediators regardless of their professional affiliations, gender, race, ethnicity, age, religion, sexual orientation or other personal characterization. The Mediator accreditation will be purely based on evaluation under the QAP based on the Mediators grading. Training or Orientation programs on mediation received by candidates, on equal rating with ICFML programs as accepted by ICFML, will entitle the mediator to apply under ICFML QAP. A diversity declaration is published on ICFML website. (see in annex)

Quality Assurance

Program registered in accordance with jurisdiction requirements	Yes
Trainers, coaches and assessors registered as mediators (if required by the jurisdiction)	Yes
Clarification of passing criteria	<p>The assessor has a form for each stage of the mediation based on the relevant criteria. For each criterion the assessor will choose between Excellent, Above Average, Meets Criterion, Needs Improvement (with specification), and Does Not Meet. Each of these levels has a number and for each phase of the mediation a total is done with the total points needed to pass.</p> <p>Missing is 0, area of improvement is 2, Meet criteria is 3, Above criteria is 4 and Excellent is 5. For each part of the mediation in average the participant needs to have 3 - Meet criteria. Total maximum points are 380 and candidates pass at score of 285 or above.</p>
Process where participant fails assessment	<p>ICFML has a formal and an informal complaints appeals policy process that the applicant can use.</p> <p>Based on the explained here the candidate pass or fail the certification. We follow the complaint policy. Formal rules states:</p> <p>11.2: Participants who fail the certification may redo it later, a maximum of 3 (three) times within 2 (two) years after its completion. ICFML will attempt to carry out the reassessment by (a) different assessors from previous assessments, if this is possible at the sole discretion of ICFML. The costs of reassessing an assessment in a</p>

	<p>training or certification are determined on a case-by-case basis. ICFML informs the participant in advance of the costs of revaluation.</p> <p>11.3: Participants in a certification that fail the certification solely on the criteria relating to the written work, or who were unable to send the written work within the deadlines set for such sending, have 6 months from the date of sending the certification result where negative evaluation or lack of work was communicated, to request a new evaluation process of the written work. The revaluation costs are defined on the ICFML website.</p> <p>11.4: Participants in a certification that fail certification in another criterion that the written work must repeat the certification. And we have an informal process: Any participant who is not satisfied with the quality level can make a formal written complaint against a trainer, certification facilitator or examiner. In this case, in the written request, he / she must include detailed information on the situation that leads to the complaint, namely the reasons why they complain against the trainer, facilitator or assessor.</p> <p>The ICFML will formally decide within 30 days from the date of receipt of the complaint. The ICFML decision is not subject to appeal and is final.</p>
Privacy	Yes. Please see privacy policy at https://icfml.org/politica-de-privacidade/ .
Supporting documents	<p><i>List of attachments:</i></p> <p>Competency framework for assessments, Diversity policy, Complaints/appeals policy</p>