International Mediation Institute

PROFESSIONAL MEDIATION WORLDWIDE
Promoting Consensus and Access to Justice
www.IMImediation.org

Africa Centre for Dispute Settlement

IMI Qualifying Assessment Program

About the Organisation

Organisation's full legal name	Africa Center for Dispute Settlement, at the University of Stellenbosch Business School (part of the University of Stellenbosch)
Year formed, and under which jurisdiction	The University of Stellenbosch was established in 1918, under the laws of South Africa
Organisation's contact details	ACDS, University of Stellenbosch Business School, Belparl Campus, Carl Cornje Drive, Bellville, 7530, South Africa. Contact person: Hendrik Kotze (Hendrik.Kotze@usb.ac.za), alternatively Surita Basson. Tel: +27(0)21 918 4228 Fax: +27(0)21 918 4468 https://www.usb.ac.za/research-centres/africa-centre-for-dispute-settlement/africa-centre-for-dispute-settlement-about-us/
Application type	IMI Certified Mediator (QAP assessing mediators)

Submission type	Alteration to existing approved QAP/MAQAP
Feedback Digest support	Yes
Locations and Languages	We primarily offer QAP to applicants from South Africa. We offer the QAP programme in English, which is the predominant common and business language of the country. We are able to support applicants from the Southern African Development Community, if there is a need.
Existing CMTP	Not Applicable
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.

Practitioners applying for IMI Certification must:

- be accredited by the DiSAC (the South African mediation industry accreditation body)
- have at least a minimum of 200 hours and / or 20 mediations that have been conducted by the mediator
- provide a detailed log of at least 4 mediations conducted in a two year period preceding the application, which log must provide information regarding the date of

the mediation process, duration of the mediation, nature of the dispute and the methodology utilized in engaging with the dispute

- provide at least 3 feedback forms completed by parties who participated in 3 different mediation processes in the two year period preceding the application;

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.

A practitioner must have completed successfully a foundation 40-hour mediator training accredited by DiSAC. The DiSAC accreditation standards for such foundation training requires a written assessment that tests understanding of the theory and law of mediation. In addition, the practitioner must provide proof of (in the two year period preceding the application):

- attendance of at least 12 hours of relevant continued education offered by the ACDS or DiSAC accredited service provider, or
- have conducted training and or assessment of mediators on a DiSAC accredited training course of at least 40 hours, and
- pass a short survey to test knowledge of evolving legislation and mediation practice principles.

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.

Only practitioners who are accredited by DiSAC will be able to apply to become qualified for IMI Certification. Training provided by the DiSAC accredited service providers requires all trainees to undergo an assessment based on three actual role plays performed by the trainees and assessed by a trainer and independent assessors. During this training post-experience assessment takes place in the review of feedback forms submitted by trainees.

Practitioners applying to become qualified for IMI Certification will also be required to undergo a role play assessment with ACDS. The role play will be assessed by two DiSAC qualified assessors based on the DiSAC assessment criteria, and applicants will be required to score a "Competent" assessment from both assessors on at least 80% of the competencies (and should have no "Not competent" assessment on any competency).

The DiSAC assessment criteria are contained in Annexure C of the DiSAC Accreditation Standards, a copy of which is attached.

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.

Not currently, as we are revising the QAP. The approved revised QAP will be published on our website.

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.

All applications for IMI certification will be considered by two DiSAC qualified assessors (appointed by the ACDS), each of whom must have at least 10 year's experience in mediation.
At least one of the assessors will be independent of the QAP in that they will not be employed by the QAP.
[DiSAC Assessors must be qualified Senior Trainers in mediation, with a track record of having trained a DiSAC accredited 40 hours mediation qualification course, and with proven ability to apply to assessment criteria.]

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 assessors will be required to submit a detailed assessment report which indicates their assessment of the competencies as well as the reasons for it. All assessment role plays will be videotaped and will therefore be available for re-assessment, or for evaluation of the assessor's performance.

The ACDS appoints a senior qualified assessor to manage the assessment programme (from its own personnel where possible). The assessment manager is:

- One of the assessors appointed to assess applications, so as to ensure a degree of consistency in the assessment
- Works with all external assessors to ensure that their interpretation of the assessment criteria is on par and in accordance with that of the ACDS
- Identifies any substantial discrepancies in the assessment of any application, and where these cant be resolved, appoint a third assessor to make a determining assessment
- Monitors and evaluates the performance of external assessors to ensure that their assessments are on par and in accordance with the standards of the ACDS
- Submits randomly selected assessments (also those of the assessment manager) for evaluation by external assessors. A minimum of 1 in 20 assessments will be evaluated in this manner.

The ACDS agrees to provide all necessary information (subject to any legal restraints imposed by the Information Act/ GDPR) and accept monitoring from IMI, and will participate readily in any audit process in this regard.

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.

South Africa is a diverse, multi-cultural society and constitutional democracy. Discrimination is prohibited under various Acts of Parliament.

ACDS invites applications for its designations from all sectors of the population regardless of gender, race, ethnicity, age, religion, sexual orientation and personal characterization.

As part of the University of Stellenbosch the ACDS is also bound by the terms and procedures in the policies of the University.

Relevant and applicable policies include:

- Policy against discrimination
- Policy on Diversity in employment (including proactive provisions)
- Access (Services available to all)

Quality Assurance

Program registered in accordance with jurisdiction requirements	Not Applicable
Trainers, coaches and assessors registered as mediators (if required by the jurisdiction)	Yes
Clarification of passing criteria	Applicants must submit information to satisfy the experience and knowledge components. In addition Practitioners applying to become qualified for IMI Certification will also be required to undergo a role play assessment with ACDS. The role play will be assessed by two DiSAC qualified assessors based on the DiSAC assessment criteria, and applicants will be required to score a "Competent" assessment from both assessors on at least 80% of the competencies (and should have no "Not competent" assessment on any competency).
Process where participant fails assessment	Where an applicant complains about the outcome of an assessment, the complaint will be heard by the Head of the ACDS. He / she may, as appropriate to the matter and in consultation with the assessors as useful, a. make findings with respect to the outcome on the basis of the complainant's file; or b. have the recording of the assessed mediation reviewed by an additional assessor appointed by the Head of ACDS; or c. arrange for a de novo assessment. His ruling on the matter will be final.

Supporting documents	*List of attachments:* • Competency framework for assessments (per DISAC) • Diversity policy and Complaints/appeals policy