



International Mediation Institute

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

QUADRA

IMI QUALIFYING ASSESSMENT PROGRAM

Introduction & Background

QUADRA (www.adrquadra.com) is the ADR division of Tiaki s.r.l., a private limited company incorporated under the Italian laws in November 2004, which offers ADR services, and ADR training, including mediation.

QUADRA started its operations in Italy in 2003 as an informal organization, and it is now the trade name of the ADR division of Tiaki.

QUADRA is an initiative of Carlo Mosca, who has been active in the Italian mediation field since 1996, and is one of the first promoters of mediation in the country.

QUADRA offers ADR services (namely mediation, arbitration, and expertise), and training of neutrals. It operates as a local accreditation branch of transformative mediators for the ISCT – Institute for the Study of Conflict Transformation, based in Dayton, OH. This accreditation service is part of a more comprehensive accreditation program (the QUADRA CERTIFIED MEDIATOR PROGRAM) extended to other approaches to practice, namely facilitative/problem solving, and evaluative which has been successfully tested in 2013.

QUADRA is active in various sectors (from commercial to family, or civil), mainly in Northern Italy (namely in Milan and Venice areas) although it occasionally runs some operations abroad (in particular in the UK where advanced mediation training courses have been realized in 2013 and 2015).

1. 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.

QUADRA CERTIFIED MEDIATOR PROGRAM (CMP) is open to any mediator who can give evidence of having taken part in at least 20 mediation sessions, either as mediator, or co-mediator, totalling minimum 200 hours. To that end, a candidate is asked to file a self-declaration and a list of completed mediation sessions, showing, in respect of each entry:

- date
- administering centre, if any
- approximate duration of the session.

Names of the parties should not be indicated, however, a candidate may attach parties' feedback. Quadra will rely on the content of said self-declaration; however, it might make random checks, and seek feedback from any mentioned centres.

Any material misrepresentation would amount to a breach of confidence, and allow QUADRA to report to IMI.

2. 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.

All QUADRA's Certified Mediators are required to have attended a 50-hour minimum basic training course organized by a reliable training body/faculty.

In addition, they have to pass a written test on mediation theory and practice. This consists of a series of questions (usually 10) and candidates are asked to elaborate with written answers. The test is run at one of the Quadra offices, or other venue with a Quadra appointed invigilator; it usually takes 90 minutes. The script is marked by one of the assessors having the qualification as described at point 5 below: the test is passed when at least 80% of answers are deemed satisfactory.

Furthermore, they have to be assessed as 'satisfactory' after having a 1-hour interview with an assessor, following the performance-based assessment described at point 3.

Applicants are offered the possibility to produce any documentation that may show the level of their knowledge in the field, including papers, contributions to conferences and other events on mediation, peer endorsement, etc.

3. 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.

In order to assess an applicant's skills QUADRA adopts a performance-based testing, consisting in having the candidate observed in an uninterrupted, unedited, clearly audible video-taped mediation for 30 minutes approximately (the initial ones of the first mediation session). Should an actual mediation be taped, the applicant is requested to obtain a prior written authorization by all parties concerned.

The applicant's performance is assessed according to standards varying in consideration of the mediation approach chosen by applicant in filing the application. Presently, applicants are given the possibility to opt for either a –

- (a) transformative;
- (b) facilitative/problem-solving; or
- (c) evaluative approach.

QUADRA is planning to extend options to other approaches in the future, if requested to do so. Reference assessment standards, and minimum requirements for accreditation are set in relation to each of any available approach, and made available to the public (see at www.adrquadra.com).

The criteria for assessment, according to the different approaches mentioned above are the following-

All approaches

- (i) The ability to explain to the parties the aims of the process, and the role of the mediator;

Transformative Approach

- (ii) The ability of supporting the parties' view of the mediation as a constructive conversation (CC);
- (iii) The ability of supporting the parties' sense of their own agency (OA);
- (iv) The ability of supporting the parties' orientation to each other (EO);

- (v) The ability of supporting the parties' "conflict talk" (CT);
- (vi) The ability of supporting the parties' decision-making process (DM).

Facilitative, Problem-solving Approach

- (i) The ability of facilitating communication with, and between the parties (FC);
- (ii) The ability of identifying the parties' unexpressed interests and needs (IN);
- (iii) The ability of managing the process effectively (PM);
- (iv) The ability of supporting negotiations, and finalisation of settlement deals (SN).

Evaluative Approach

- (i) The ability of establishing and maintaining a fair process (FP);
- (ii) The ability of analysing thoroughly each party's case from a factual and legal point of view (AN);
- (iii) The ability of facilitating solutions, and of making settlement proposals if opportune (SP);
- (iv) The ability of checking the terms of possible settlement agreements generated by the parties (TS).

The applicant's performance is observed and assessed by a qualified assessor, i.e. a person who is in possession of the necessary level of experience and expertise to do the job, according to QUADRA standards (see point 5 below).

Together with the application, an applicant is required to submit a self-assessment paper, describing his/her more significant interventions, whether they are congruent, or not, with the chosen approach. In respect of a major intervention, the applicant is also requested to provide evidence of: context, purpose, effect, and the linkage to the chosen approaches. In case of non-congruent interventions, s/he is expected to give an explanation of what s/he would have been done differently in hindsight.

Assessors are expected to mark each applicant's intervention (-/+; e.g. A mark OA+ means in the transformative context that the mediator has made an intervention in support of a party's own agency).

Once the video, and the self-assessment have been analysed, the assessor interviews the applicant in order to check his/her level of awareness in respect of the interventions made. At the end of the process, the assessor releases a summative assessment sheet where the applicant is declared "satisfactory" (therefore declared "QUADRA CERTIFIED [chosen approach] MEDIATOR) or "non satisfactory". As a general rule, a candidate is considered satisfactory in a given strategy whereas the relevant + marks overcome the - ones; otherwise, s/he is considered as non satisfactory. However, in case of balance, or slight preponderance of - marks, a "satisfactory" judgement is given should the applicant show in his/her self-assessment and/or personal interview to be aware of non-congruent interventions made.

In order to pass the test, an applicant has to satisfy all the strategies provided for in respect of the chosen approach.

The summative assessment sheet specifies both the approach, and the language utilized by the candidate in his/her performance.

Due to the fact that a performance-based assessment is vulnerable to a great degree of subjectivity, an applicant who has been considered as 'non satisfactory' may ask to have his/her performance reviewed by a different assessor. As an alternative, s/he may submit a new video for review.

N.B. Assessment of applicants seeking certification in the transformative approach is made in co-operation with the ISCT. This gives applicants the chance of obtaining a double benefit: a QUADRA certification and an ISCT certification (see <http://www.transformativemediation.org/certification/mediator-certification/>). An application made to QUADRA CMP shall be considered, and processed by QUADRA as ISCT's agent, as an application for an ISCT's certification; assessors are ISCT's qualified assessors.

4. 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.

The QUADRA CMP Terms of Reference are available at www.adrquadra.com.

5. 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.

A QUADRA assessor must (a) be a practising mediator in the approach as selected by applicant, for at least 5 years; (b) have developed a significant teaching/academic experience in the mediation field; (c) have attended a QUADRA or ISCT assessors training course (d) have attended at least 2 assessments as shadow assessor, and another 2 assessments as shadowed assessor. Assessors of candidates qualifying in the transformative approach are ISCT's qualified assessors.

At least one of the Assessors on the Program is independent of the QAP.

CMP is the responsibility of Carlo Mosca (see biography).

All present QUADRA assessors are professionals and share no interest in the result of the assessment they may be assigned to. In principle, an assessor should not have any

previous relationship with the candidate (exceptions are made where no other assessor could be available, for objective reasons, e.g. linguistic. In those cases a shadow unrelated assessor is to be appointed).

6. 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.

Assessors

Assessors' activity is constantly monitored by QUADRA, in the light of applicants' and shadow assessors' feedback.

Assessors are requested to attend quarterly meetings with the CMP director, intended to exchange experience, discuss interesting issues arising on occasion of their assessor practice and to align the evaluation criteria so to give a homogeneous service to all applicants. Also, assessors are expected to take part in the simulated cases, and mediation workshops QUADRA regularly arrange to the benefit of practicing mediators.

Comparison with other assessment experience is encouraged, and intervention of external assessors and experts at said meetings is welcome.

Assessors dealing with applications for a certification in the transformative approach are subject to the assessors' maintenance policy of the ISCT.

Certified Mediators

Once released, the qualification is to be confirmed every two years, against evidence of ongoing practice and practice (i.e. either (a) 8 mediations, including 0-4 simulations plus 20 hours of education; or (b) attainment of minimum requirements in terms of refreshing courses or pupillage which are possibly mandated in the country of applicant's country of residence – whichever the higher.

7. Commitment to Diversity

The QAP must be 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 QUADRA assessment program is open to all, regardless of their professional affiliations, gender, race, ethnicity, age, religion, sexual orientation, ideas, mediation approach, or other personal characterization.

QUADRA presently offers the possibility to be assessed in Italian and English, and it is working on enlarging the available languages.