



NATIONAL CERTIFICATE IN WORKPLACE MEDIATION™

DETAILED SYLLABUS

5-6 day training course for those wishing to practice as in-house mediators.

thetcmgroup.com

This course is fully accredited by the Open College Network (OCN) and is delivered by the UK's top resolution experts. The OCN undertake rigorous external verification of the course to ensure it is delivered to the highest of standards. OCN London is a national qualification awarding organisation regulated by Ofqual and the Quality Assurance Agency for Higher Education (QAA).

Once a delegate has completed the course and passed the OCN accreditation, we will award them the TCM Accredited Mediator status. This means that they can describe themselves as a TCM Accredited Mediator on their online profiles, such as LinkedIn, and in their marketing.



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INTRODUCTION



Unresolved workplace conflicts, complaints, disputes and tensions can be damaging and costly. Whether they remain relatively low key or high profile and explosive, workplace conflicts can negatively influence modern working life.

The TCM Group's National Certificate in Workplace Mediation course provides participants with the necessary skills and strategies to resolve complex and challenging employment, workplace, consumer and labour conflicts. This course is tailored to meet the specific needs of mediators working within a wide range of organisations, including private, public and not-for-profit organisations.

This course is designed for individuals who want to work as in-house mediators, external consultants who wish to offer workplace mediation services, and those interested in developing an effective and highly practical new set of skills and competencies.

This course is unique in that it draws on examples and case studies from real cases where mediation has worked (and not worked!). The TCM Group (Total Conflict Management) ensures that its training services are:

- ✓ Challenging
- ✓ Fun
- ✓ Relevant
- ✓ Rewarding
- ✓ Underpinned by a commitment to your ongoing support and personal development.

This programme summary explains the course structure, aims and delivery. Please feel free to contact one of The TCM Group team using the details opposite should you have any questions about this course.

I look forward to working with you.

David Liddle,
CEO of The TCM Group

ADMINISTRATIVE DETAILS

Programme Title

National Certificate in Workplace Mediation™ (NCWM)

Centre

Total Conflict Management Ltd
(The TCM Group)

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Business Design Centre
52 Upper Street
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Programme Units

1. The Essentials of Mediation
2. Applied Workplace Mediation Skills

Programme Duration

1. A series of two modules, offered as 2 x 3-day blocks, with a one-week gap for reflection and practice.
2. A 5-day programme delivered as a block or split into 2 and 3 days.

Assessment





1. Successful completion of a mediation role-play during the second module.
2. Completion of a training workbook and reflective study equivalent to 30 hours of reflective study.

COURSE INFORMATION

Programme Summary

The NCWM is a core element of TCM's activities for supporting individuals and organisations as they develop proactive, constructive and empowering responses to business disputes, complaints and conflict. This programme can be delivered as an open access or in-house course.

This programme trains individuals to the highest standards in:

-  Mediation best practice (TCM applies the FAIR™ mediation model – Facilitate, Appreciate, Innovate, Resolve)
-  Active listening
-  Non-violent communication (NVC)
-  Problem-solving

How to become a TCM accredited workplace mediator

This course enables participants to develop the necessary skills and competencies to work as TCM accredited mediators within their own organisations, or as external consultants. TCM Group accredited mediators are expected to continually develop their professional practice. TCM provides a package of ongoing support and Continuing Professional Development (CPD) for TCM trained in-house mediators through TCM Community.

The NCWM offers an in-depth analysis of mediation, with particular reference to resolving business complaints, disputes and conflict. The course uses a variety of learning and teaching methods. During the course, participants are encouraged to develop their learning through group discussions, role-plays, case study discussions as well as independent learning and reflection. Peer-based evaluation and learning feature heavily throughout the programme. This is supported by regular assessment of activities and learners' progress by course facilitators.

The programme is appropriate for individuals who want to develop or enhance their conflict management skills. It is also relevant for individuals who regularly manage conflict as part of their work, including managers, supervisors, investigators, equality officers, HR professionals, advocates and complaints managers.

COURSE AIMS

By the end of the programme, participants will have developed the necessary skills to ensure that they are able to:

1. Understand the causes and the nature of conflict at work. Participants will recognise the symptoms and expressions of conflict along with its underlying causes and effects.
2. Transform dysfunctional and destructive conflict into functional and co-operative dialogue.
3. Compare and contrast the various conflict management strategies available to organisations and to understand their own personal conflict management styles.
4. Understand the seven stages of mediation and to demonstrate competency in managing the process in a safe and controlled manner.
5. Understand the underlying philosophy, ethos and applications of mediation so that it can be made accessible to potential mediation parties.
6. Recognise and develop strategies for overcoming potential blocks and barriers to the mediation process, including building and maintaining a commitment to mediation, identifying parties' goals and overcoming impasses during the process.
7. Consider the relationship between conflict, power, prejudice and discrimination and to define the role of the mediator in developing an equitable and safe environment for positive dialogue.
8. Develop anti-oppressive practices for mediators and examine the role of mediation in creating and sustaining positive and meaningful relationships across different cultures, religions, backgrounds and experiences.
9. Undertake a detailed analysis of the communication process in mediation and understand how to apply principles such as non-violent communication.
10. Enhance parties' communication skills and develop core competencies in active listening, including the use of appropriate questions, reframing, funneling, mirroring and summarising.
11. Recognise and understand the standards of practice which mediators must adhere to before, during and after mediation.

PROGRAMME DELIVERY

The course has been professionally designed to develop participants' skills as they become practicing mediators. The role of the trainer is to facilitate learning through the provision of resources and support, as well as stimulating discussion and providing challenging exercises to give learners a diverse and highly participatory learning experience. Learning is done during contact time and via private, directed study.

Throughout the course, the delivery of teaching and learning methods takes on a variety of forms, including group discussions, workshops, awareness work, skills practice, role-play, group plenary and individual work.

Pre-course work

Details of pre-course reading in addition to a questionnaire will be provided before the course starts.

Trainer presentation

This method of learning is mainly used as a pre-cursor to experiential workshops and role-plays. Trainers provide information and knowledge on the models, processes, principles and theory in the context of unit content. This information is reinforced via other methods of teaching.

Private study, tutorial and personal reflection

Reflective learning is an important element in mediation work. Mediators operate in difficult emotional conflict situations. Practitioners need to address their own personal needs and motivations so that they are able to recognise unresolved past conflict which impacts on the quality and effectiveness of their work. This can be partially processed through private study and tutorials. Private study also offers the opportunity for learners to assimilate elements of the course content and create ownership and the development of personal articulation of theory and principles.

Role-play

This is an important part of the course in which participants are encouraged to put principles into practice in a safe environment via experiential learning. The emphasis will be on participants' ability to try out specific mediation skills. Trainer, participant and peer feedback is also part of this process. Participants will be involved in assessed role-plays which they must pass to complete this course.



Group plenary

Participants are invited as a group to compare different learning experiences throughout the course and to give feedback on their own development. Group plenary consolidates the group and develops their awareness of adjusting to each other's learning styles as well as developing their awareness of each other's learning needs.

Self-directed learning

Learners will be given tasks to complete outside of the training room in relation to course content covered during contact time. Tasks will include a problem analysis focus, questions and exercises that are relevant to particular sessions delivered.

Evidence of learning

All participants are expected to complete a portfolio of learning. The portfolio will require, on average 4 days learning. This is the minimum standard set by OCN. The training workbook uses a standard template provided by Total Conflict Management, however, it may also include:

- ✓ Learner reflection sheets
- ✓ Completed learning exercises
- ✓ Peer feedback and assessment sheets
- ✓ Tutor feedback and assessment sheets
- ✓ Private study tasks
- ✓ Role-plays completed
- ✓ Articles and notes
- ✓ Records of skill exercises
- ✓ Tutors final overall assessment

PROGRAMME SUMMARY

Unit One: Days 1 - 3 Essentials of Mediation

Day 1:

- Personal and organisational experiences of conflict.
- Putting workplace conflict into context.
- Mediation: Principles, process and practice.
- Introducing mediation to the parties.
- Securing a commitment to mediate.

Day 2:

- The skills of a workplace mediator: active listening, summarising, questioning, funnelling, reframing.
- Building a commitment to mediate.
- Non-violent communication and reframing.
- Setting up and managing the first and second pre-meetings with the parties.

Day 3:

- Working towards impartiality.
- Dealing with strong emotions and challenging behaviour.
- Managing the joint meeting: facilitation skills, problem- solving and reaching agreement.



Unit Two: Days 4 - 6 Applied Mediation Skills

Day 4:

- Observed role-plays and feedback.
- Dealing with impasse in mediation.

Day 5:

- Observed role-plays and feedback.
- Dealing with power and prejudice in mediation.

Day 6:

- Observed role-plays and feedback.
- Mediator professional development and practice standards.
- Course conclusion, evaluation and action planning.



ADDITIONAL COURSE INFORMATION

Target audience

Individuals involved in workplace mediation, management development and consultancy, staff development, coaching and mentoring, trade union activities, personnel and/or human resource management and development, diversity and equality, workplace counselling, psychotherapy, employment law, industrial and employee relations, management and supervision.

Venue

Open access or at client's premises.

Validation

Fully accredited by OCN with nine credits at level three.

Previous experience/knowledge

None required, however, some experience of advising, managing or supervising staff is beneficial. Full course preparation is made available before the course commences.

Resources required

Flipchart and pad plus LCD Projector (Trainers have notebooks and all other resources)

The Learning Environment

The training takes place in a positive physical environment, which inspires a constructive, stimulating, and humanising experience for participants. The environment for the training is comfortable with natural light and high-quality visual aids. Some accelerated learning techniques will be employed throughout the course.

Evaluation

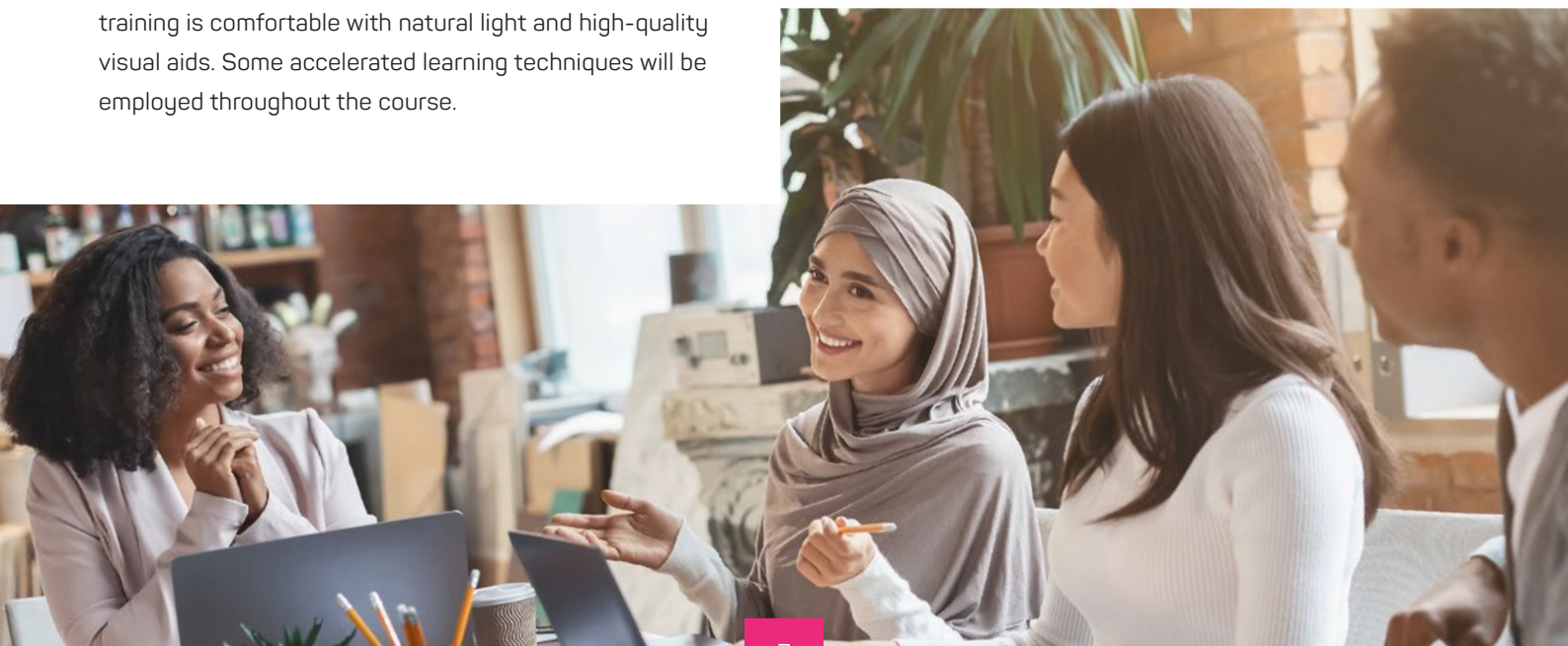
At the beginning of the course, all participants will be provided with a copy of the learning outcomes. Their own personal expectations will also be sought at the beginning of the course. At the end of the course, participants will be invited to share their own experiences and perceptions of the course and they will be encouraged to consider areas for improvement and development.

Participant learning and reflection

All participants will be encouraged to undertake personal reflection and to consider further areas for professional development and practice. All participants will be encouraged to develop a practical conflict management toolbox to equip them, as they become practicing mediators.

Anti-discriminatory practice

TCM is committed to developing and delivering all of its services in ways which are free from discriminatory, oppressive or prejudicial language or content. Total Conflict Management regularly reviews its equality and diversity policy and copies are freely available upon request. We will make every effort to ensure that our services are fully accessible and we welcome feedback and suggestions from all of our customers and service users.



UNIT DETAILS (OCN REQUIREMENTS)

For Office Use Only: UNIT CODE AF4

4.4 UNIT TITLE: The Essentials of Mediation

4.5 CREDIT LEVEL: Three

4.6 NO. OF CREDITS: Six

4.7 OUTCOMES	4.8 CRITERIA FOR ASSESSMENT
<p>1. Understand your own responses to conflict and conflict management.</p>	<p>1.1 Evaluate own self-awareness by reflecting on own personal response to conflict, both as a third party and as a participant.</p> <p>1.2 Explain a personal process for on-going learning that uses current support mechanisms available to workplace mediators in terms of supervision from managers, peers and/or external organisations.</p>
<p>2. Understand the causes, consequences and context of workplace conflict.</p>	<p>2.1 Explain the causes, behaviours and consequences of conflict within organisations.</p> <p>2.2 Apply your analysis of conflict escalation to a workplace situation.</p>
<p>3. Understand the values and principles of workplace mediation.</p>	<p>3.1 Critically assess the importance of each of the core principles of mediation.</p> <p>3.2 Explain how the mediator can support these principles.</p>
<p>4. Understand the Facilitate, Appreciate, Innovate, Resolve (FAIR) mediation model.</p>	<p>4.1 Explain the key stages which the Facilitate, Appreciate, Innovate, Resolve (FAIR) mediation model delivers, including: confidentiality, voluntary, self-determination, non-judgmental approach and impartiality.</p> <p>4.2 Explain the skills necessary to support each of the four stages of FAIR mediation.</p> <p>4.3 Assess the application of the FAIR mediation model in practice.</p> <p>4.4 Explain how to manage and overcome blocks and barriers to the mediation process, including prejudice.</p>
<p>5. Understand the communication skills necessary for mediation.</p>	<p>5.1 Explain how reframing and non-violent communication relate to the mediation process.</p> <p>5.2 Explain the role of active listening and empathy in the mediation process, both in terms of the mediators' empathy towards the parties and the creation of empathy between parties.</p> <p>5.3 Explain the benefits of co-mediation compared to working alone.</p>
<p>6. Understand the difference between positions, interests and needs, and how they relate to mediation.</p>	<p>6.1 Explain what is meant by needs.</p> <p>6.2 Assess the difference between position, interests and needs.</p> <p>6.3 Explain how the mediation can assist the parties to move from their starting positions towards their underlying needs.</p>
<p>7. Understand the core elements of problem-solving for workplace mediators.</p>	<p>7.1 Analyse the key elements of effective problem-solving and consensus building.</p> <p>7.2 Explain Specific, Measurable, Achievable, Realistic, Time-bound (SMART) action planning.</p> <p>7.3 Explain the core elements of a final agreement /action plan.</p>

CONTINUED ...

4.4 UNIT TITLE: Applied Mediation Skills

4.5 CREDIT LEVEL: Three

4.6 NO. OF CREDITS: Three

4.7 OUTCOMES	4.8 CRITERIA FOR ASSESSMENT
<p>1. Be able to demonstrate how to manage the distinct stages of the one-day Facilitate, Appreciate, Innovate, Resolve (FAIR) mediation process.</p>	<p>1.2 Demonstrate how to manage all stages of the mediation process with appropriate control and safety, for the following stages of the Facilitate, Appreciate, Innovate, Resolve (FAIR) mediation process:</p> <ul style="list-style-type: none"> • Pre-mediation planning • Individual meetings • Joint meeting • Closing and evaluation
<p>2. Be able to practice active listening skills in the mediation process.</p>	<p>2.1 Explain the causes, behaviours and consequences of conflict within organisations. 2.2 Apply your analysis of conflict escalation to a workplace situation.</p>
<p>3. Understanding the application of key problem solving and action planning approaches during mediation.</p>	<p>3.1 Demonstrate, using examples, how to develop, agree and review a final agreement/ action plan using key problem-solving technique.</p>
<p>4. Be able to undertake self-directed development through reflective practice and research.</p>	<p>4.1 Analyse the impact of the training on own practice as workplace mediator.</p>

A SUMMARY OF THE COURSE CONTENT

AREAS COVERED	DETAILED CONTENT	
Introducing the National Certificate in Workplace Mediation	<ul style="list-style-type: none"> • Introduction and course admin • Icebreakers and expectations • Aims and objectives 	<ul style="list-style-type: none"> • Introducing the portfolio and OCN • Setting the ground rules and boundaries
Conversation about conflict	<ul style="list-style-type: none"> • What is conflict? • The 7 stages of conflict escalation • Where in an organisation does conflict occur? • Conflict is normal • Destructive and constructive conflict • Individual conflict management styles 	<ul style="list-style-type: none"> • The sources and causes of workplace conflict • Behavioural responses to conflict • The impact and costs of workplace conflict • Personal experiences and reflections of conflict
Workplace mediation	<ul style="list-style-type: none"> • A working definition of mediation • A comparison of mediation with other forms of dispute resolution • An organisation's attitude to mediation 	<ul style="list-style-type: none"> • The values and ethos of mediation • Current legislation and the role of mediation • The advantages and benefits of mediation • The structure of a FAIR mediation intervention
The role of the workplace mediator	<ul style="list-style-type: none"> • Defining the boundaries • Managing the parties' interactions safely and with control • Maintaining a confidential environment • Facilitation and problem solving 	<ul style="list-style-type: none"> • Preparing a mediation intervention • Assessing the suitability for mediation • Building a commitment to mediation • Closing, reflecting, evaluating
The skilled workplace mediator	<ul style="list-style-type: none"> • Building empathy • Active/reflective listening • Questioning (open, probing, closed, hypothetical and funnelling) • Non-verbal communication • Separating facts, feelings and truths • A shift away from positions towards needs 	<ul style="list-style-type: none"> • Identifying the substantive, procedural and psychological needs of the parties. • Differentiating points of commonality from points of divergence • Reframing • Positive influence
The FAIR workplace mediator	<ul style="list-style-type: none"> • The nature of impartiality • Anti-discriminatory practice for mediators 	<ul style="list-style-type: none"> • Hooks, triggers and buttons • Non-violent communication
Practical problem solving for workplace mediators	<ul style="list-style-type: none"> • Helping others to make logical decisions • Conveying ideas and progress effectively • Working on the common ground. • Strategies for effective win/win dialogue • Structuring ideas 	<ul style="list-style-type: none"> • Checking your BATNA, WATNA and MLATNA • Facilitation techniques for workplace mediators • Testing for rigour and appropriateness. • Using power effectively

AREAS COVERED	DETAILED CONTENT	
Overcoming impasse calmly with patience and respect	<ul style="list-style-type: none"> • Responding to hostility, aggression and stress. • Managing power imbalances. • Lack of motivation to mediate. • Breaking deadlocks and overcoming perceived impasse. • Agreeing and applying ground rules. 	<ul style="list-style-type: none"> • Dealing with misunderstandings and objections. • Managing conflict at the joint meeting. • Developing an agenda based on parties points of Interest (using a mix of areas of commonality and areas of divergence). • Encouraging honesty.
Managing the two pre-mediation meetings	<ul style="list-style-type: none"> • Introducing mediation and the mediator. • Providing an opportunity to vent. • Generating quick wins = confidence boosters and tertiary. 	<ul style="list-style-type: none"> • Getting a useful overview and identifying the primary, secondary etc. points of interest. • Preparing the parties to meet each other. • Managing the second meeting. • Building rapport and dialogue.
Managing the joint meeting	<ul style="list-style-type: none"> • Preparing yourself and the room • The use of caucuses, structured breaks or time outs • Mediators opening statement and confirming the terms of practical problem solving • Uninterrupted speaking time for parties • From the past to the present to the future reference 	<ul style="list-style-type: none"> • Managing dialogue around each agenda point • Stimulating and managing conflict • Action planning • Logistics • Mediators closing statement/summary • Closure and follow up arrangement • Agreeing the agenda.
Negotiating and agreeing an outcome and final action plan	<ul style="list-style-type: none"> • Negotiating a win/win outcome • When to agree to disagree • Using SMART targets • Contingency planning 	<ul style="list-style-type: none"> • Agreeing drafting period • Agreeing review periods • The role of other third parties (Trades Unions, Managers, HR/Personnel etc.)
Review and evaluation of practice	<ul style="list-style-type: none"> • Review of individual cases • Review of professional practice 	<ul style="list-style-type: none"> • Support and supervision for professional mediators
Developing opportunities for professional practice	<ul style="list-style-type: none"> • The role of TCM • Becoming a TCM accredited mediator 	<ul style="list-style-type: none"> • Incorporating mediation into your portfolio of skills and competencies
Assessment of mediation practice	<ul style="list-style-type: none"> • Key stages in the assessment of practice during the course include: <ol style="list-style-type: none"> 1. Introducing mediation to the parties 2. Overcoming blocks, barriers and impasses 3. Managing the pre-mediation caucuses 4. Managing the joint meetings 	<p>*Assessment is peer and tutor based and is against identified skills and competencies of a workplace mediator.</p>

Note: The TCM Group reserves the right to modify this course outline at any time based on emerging best practice, changing legislation or our own experience of what works and what doesn't work.



TCM GROUP

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