

CODE OF PRACTICE

*For Mediators Accredited by
UK Mediation Ltd*

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What is Mediator Accreditation?

Mediation is now a widely used and highly effective means of resolving a broad range of disputes and complaints. More and more people are training in mediation, ready to resolve disputes and complaints either for their organisations, or as freelance practitioners.

Although mediators come from many different backgrounds and work in many different disciplines, all need to be able to offer a clear assurance of the quality and integrity of their practice. Consumers and commissioners of mediation services need to know that their mediator is properly trained and supported, and working at the highest level.

UK Mediation provides a system of accreditation for both organisational and freelance mediators, which offers exactly these assurances.

Gaining Accredited Mediator status with UK Mediation means that:

- You have trained to the highest level on an externally accredited training course
- You are working to a recognised set of practice standards
- You have suitable indemnity insurance
- You are undertaking case supervision
- You take part in continuing professional development (CPD) activity

Organisations and individuals who are using your services need to know that your work demonstrates the highest standards of quality and integrity. Gaining Accredited Mediator status with UK Mediation tells them exactly that.

"As mediation has grown in acceptance and take-up in the UK, it has become increasingly important that we offer consumers assurances about the practitioners whose services they are using. Mediator Accreditation with UK Mediation says a great deal about who you are, and what your clients can expect of you."



*Dr. Mike Talbot, MA, MSc, D. Psych.
Founder & CEO, UK Mediation Ltd.*

CODE OF PRACTICE FOR ACCREDITED MEDIATORS

1. Qualification & Professional Competence

- 1.1 Mediation is considered to be a professional endeavour, requiring specialist training.
- 1.2 Accredited Mediators will have gained a nationally recognised qualification that is at least:
 - Of 40 hours' duration
 - Externally accredited by an awarding body recognised by Ofqual, the Office of the Regulator of Examinations in England and Wales
 - Delivered by qualified FE tutors who are themselves mediation professionals
 - Assessed on course through role play and simulation
 - Of a suitable level of complexity, being Ofqual level four or equivalent
- 1.3 Accredited Mediators are required to have regular and ongoing case supervision of their work. This is to be provided in the form of consultative support (professional practice consultancy) with an experienced mediator who ideally should be someone trained and qualified in case supervision.
- 1.4 Training on a course that is not externally accredited, or training to a level below Ofqual level four, are NOT considered to meet the standard required for accreditation. Individuals who have undertaken training that is just accredited by the training provider, or that is below level four, are invited to undertake a conversion course with UK Mediation.
- 1.5 Accredited Mediators are encouraged to continually review their need for ongoing support and training. This includes paying attention to both their professional and personal needs as a mediator, and always working within the limits of their competence.

2. Methods of Practice – The Mediation Process

- 2.1 The mediator shall ensure that all parties understand the mediation process and the role of the mediator in it. It is considered good practice that Agreements to Mediate should be drawn up in writing and signed by all parties at the outset of mediation: detailing the confidentiality and disclosure arrangements that will operate, along with the business terms under which mediation is being provided.

- 2.2 Participation in mediation should be emphasised as being voluntary. Mediators shall emphasise that parties cannot be coerced into mediation. Mediators should choose to withdraw if they believe at any time that parties are being required to participate in mediation against their will.
- 2.3 Any party may withdraw from the mediation process at any time without having to provide a reason or justification. Mediators may also, at their absolute discretion, withdraw from the mediation without having to give an explanation.
- 2.4 The mediator shall ensure that all parties have an adequate opportunity to put their case across and to be treated fairly and equally.
- 2.5 The mediator shall take all appropriate measures to ensure that any agreement reached in mediation is on the basis of all parties' knowing and informed consent, and that all parties understand the details within the Mediation Agreement.

3. Confidentiality

- 3.1 All information relating to the mediation will be kept confidential at all times and no notes will be retained following the mediation. Any information disclosed in the mediation by one party will only be passed to the other party/parties with their permission, or if such disclosure is compelled by law or local policy. Disclosure of any part of the process or content of mediation will only be made if so required by the law or local policy, and/or if a failure to do so would mean anybody is likely to be put at risk.

4. Impartiality

- 4.1 Accredited Mediators shall act at all times with impartiality towards all parties and shall serve all parties equally during the mediation. If a member becomes aware of any reason why they cannot remain impartial, they should disclose this immediately to the parties concerned and withdraw from the mediation, unless the parties do not wish her/him to do so.

5. Ethical Practice for Mediators

- 5.1 The personal moral qualities of all Accredited Mediators are of extreme importance. Personal qualities to which Accredited Mediators are encouraged to aspire to include:

A. **Empathy**

Mediators shall aim to appreciate and understand the predicaments in which the parties find themselves, but without slipping into the role of befriender or advocate.

B. **Integrity**

Mediators should behave impartially at all times and should specifically avoid manipulating any party into a settlement, or pursuing any aim other than the fair achievement of a neutrally acceptable agreement.

C. **Competence**

Mediators should work within the limits of their competence, and should be prepared to temporarily suspend or withdraw their services in the event that their competence is impaired.

D. **Fairness**

Mediators should offer equality of opportunity to all participants in mediation, taking account of parties' access to the mediation process, their needs for additional support, and participants differing levels of physical and mental ability.

E. **Non-maleficence**

Above all, mediators should do no harm, and should ensure that their mediation intervention does not worsen the predicament of any person participating in mediation.

6. Conflicts of Interest

- 6.1 Accredited Mediators shall disclose any actual or potential conflicts of interest that are known to them either before or during the mediation. Accredited Mediators shall withdraw from the mediation in the event that the conflict of interest would otherwise compromise their impartiality.

7. Discrimination

- 7.1 Accredited Mediators shall not act with prejudice based on any client's physical or mental ability, personal characteristics, background, values, race, religion, sexual orientation, or beliefs.

8. Indemnity Insurance

- 8.1 Accredited Mediators shall have appropriate indemnity insurance in place to cover their mediation activities. It is the responsibility of the member, if they are working within a larger organisation, to ensure that the organisation's indemnity covers the member for their mediation work.

9. Complaints

- 9.1 Accredited Mediators are expected to have in place a system of complaints. Such a system is an essential part of the Accredited Mediator's commitment to the protection of the public.

10. Sanction and removal

- 10.1 UK Mediation wishes to support and advise Accredited Mediators to work professionally and with integrity in all aspects of their mediation endeavours. The company will encourage and advise Accredited Mediators how to maintain their Accredited Mediator status.
- 10.2 In the event that it comes to light that an Accredited Mediator is not meeting any of the requirements listed above, their status as an Accredited Mediator shall be removed until such time that they can demonstrate that those requirements are again met.