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Part I - Introduction

Purpose
The National Mediator Accreditation System (NMAS) promotes the quality, consistency and accountability of NMAS accredited mediators within the diversity of mediation practice in Australia. It also informs participants in mediation about what they can expect of NMAS accredited mediators.

Role of Mediators
Mediators use recognised skills to assist participants in mediation to make their own decisions in relation to disputes, conflicts or differences between them.

Structure
The NMAS comprises the following:

- **Approval Standards** which specify the training, assessment, personal qualities and experience required for NMAS accredited mediators, and for their renewal of accreditation

- **Practice Standards** which specify the practice requirements for NMAS accredited mediators

- **Recognised Mediator Accreditation Bodies (RMAB)** which accredit mediators according to the Approval and Practice Standards

- The **Register of Nationally Accredited Mediators** which is the authoritative list of NMAS accredited mediators

- The **Mediator Standards Board (MSB)**, which oversees the NMAS. Members of the MSB comprise RMABs; professional, government, community and consumer organisations; and education and training providers.
Part II – Approval Standards

1. Application

1.1. The Approval Standards apply to any person seeking accreditation and to mediators who are already accredited under the NMAS.

1.2. NMAS accredited mediators must also comply with the Practice Standards (see Part III).

2. Approval requirements for accreditation

2.1. Applicants for accreditation must be of good character and possess appropriate personal qualities and experience to conduct a mediation process independently, competently and professionally. Applicants must also:

(a) provide references from two members of their community who have known them for more than three years to the effect that they are fit and proper persons to be mediators;

(b) disclose if they have been disqualified from practice by any professional association;

(c) disclose any criminal conviction or any impairment that could influence their capacity to discharge their obligations in a competent, honest and professional manner; and

(d) disclose if they have ever been refused NMAS accreditation or accreditation renewal or had their accreditation suspended or cancelled.

2.2. Applicants for accreditation must undertake to:

(a) comply with the Approval Standards and Practice Standards, with any relevant legislation and professional standards, and with any other requirements that may relate to particular dispute resolution schemes;

(b) pay to the relevant RMAB the MSB registration fee at the time of accreditation; and

(c) become and remain a member of an RMAB or a member or employee of an organisation with a complaints and disciplinary procedure that can address complaints against mediators.

2.3. Applicants for accreditation must complete a training programme which has the features set out in Section 2.4 and must have met the assessment requirement set out in Section 2.5, or the alternative accreditation requirements set out in Section 2.6.

2.4. The training requirement comprises:

(a) a mediator training course of a minimum of 38 hours in duration which may be conducted as a single course or in modules over a period of up to 12 months;

(b) a training team of at least two trainers in which the principal trainer has more than three years’ experience both as an NMAS accredited mediator and as a trainer;

(c) sufficient coaches, accredited as mediators under the NMAS, to ensure that each trainee is observed by a different coach in each of two simulated mediations and receives written feedback from that coach;

(d) each trainee participating in at least nine simulated mediations, in at least three of which they perform the role of mediator.

2.5. The assessment requirement comprises:

(a) Each candidate for assessment performing the role of a mediator in a simulated mediation of at least 1.5 hours in duration within 6 months before application;
(b) The simulated mediation being either observed in real time, or being video or digitally recorded for later observation, by an assessor;
(c) An assessor observing a simulation must not provide any coaching to the candidate during the simulated mediation;
(d) An assessor must be an NMAS accredited mediator who has no conflict of interest with respect to the candidate;
(e) Assessment will be based on the knowledge, skills and ethical understandings articulated in the Practice Standards;
(f) An assessor will use an assessment schedule to record whether a candidate has met or has not met the assessment requirements and will provide written feedback on a candidate’s performance.

2.6. Applicants for accreditation may also meet the requirements for accreditation by:
   (a) (i) having completed a mediator training course which is at least equivalent to the training course described in Section 2.4; and
       (ii) having been found competent in the assessment as described in Section 2.5.
   OR
   (b) (i) providing evidence to an RMAB of having conducted at least 50 hours of mediation and otherwise met the continuing accreditation requirements described in Section 3 below within the two years prior to application; and
       (ii) providing two references attesting to the mediator’s competence; and
       (iii) having completed relevant training or education which may not meet the requirements of Section 2.4; and
       (iv) having been found competent in the assessment as described in Section 2.5.
   OR
   (c) (i) providing evidence to an RMAB that the applicant possesses appropriate mediation experience and knowledge of the unique values and traditions within the culturally and linguistically diverse (CALD) community with which the mediator identifies; and
       (ii) providing two references attesting to the mediator’s competence; and
       (iii) having been found competent in the assessment as described in Section 2.5

2.7. Where an applicant does not meet in full the requirements set out in Sections 2.6 (a), (b) or (c), the RMAB must require supplementary training and/or coaching and assessment.

3. Accreditation renewal requirements

3.1. Accredited mediators seeking renewal of accreditation must continue to meet the approval requirements set out in Section 2.1 and 2.2 above, and within each two-year cycle provide evidence to the RMAB that they have been conducting mediation and have engaged in continuing professional development as described below.

3.2. Mediators must have conducted at least 25 hours of mediation, co-mediation or conciliation (10 hours in the case of a first renewal) within the two-year cycle. Where a mediator has not met this requirement, the RMAB must require that the mediator attend appropriate training, coaching and/or assessment.
3.3. Mediators must engage in continuing professional development of at least 25 hours which contributes to the knowledge, skills and ethical understandings contained in the Practice Standards. This may be made up as follows:

(a) participating in educational programmes, seminars or workshops (up to 20 hours);
(b) attending conferences (up to 10 hours);
(c) obtaining professional supervision or coaching of their mediation practice (up to 10 hours);
(d) delivering presentations on mediation or related topics, including two hours of preparation time for each hour delivered (up to 10 hours);
(e) providing professional supervision, assessment, coaching or mentoring of mediator trainees and mediators (up to 10 hours);
(f) role-playing for trainee mediators and candidates for mediator assessment (up to 8 hours);
(g) representing clients in four mediations (up to 2 hours per mediation).

3.4. Where a mediator does not meet in full the requirements set out in Sections 3.3 due to health or carer circumstances or residence in non-urban or CALD communities, RMABs must require alternative continuing professional development.

3.5. A mediator must pay the MSB registration fee to the relevant RMAB at the time of accreditation renewal.

3.6. A mediator must meet these requirements within two months of the due date for renewal of accreditation or their accreditation will lapse.

4. Suspension or cancellation

4.1. Where a mediator is significantly non-compliant with the Approval and Practice Standards an RMAB may suspend or cancel a mediator’s accreditation.

Part III – Practice Standards

YET TO BE REVISED

Part IV: Recognised Mediator Accreditation Bodies

YET TO BE REVISED

Part V: The Register of Nationally Accredited Mediators

YET TO BE WRITTEN

Part VI: Mediator Standards Board

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