AUSTRALIAN DISPUTES CENTRE

Application for Re-Accreditation under the National Mediator Accreditation System (NMAS)

- Before completing this application you must familiarize yourself with the **National Mediator Accreditation Standards** which consist of two parts:
  1. National Mediator Approval Standards
  2. National Mediator Practice Standards

  The Standards are available at www.msb.org.au

- The information requested on this form will be used to process your application for **re-accreditation under** the National Mediator Accreditation System.

- Use this application only if you already have National Accreditation which is due for renewal

- National Accreditation is for a period of **two** years.

- This application is for the use of **nationally accredited mediators** who:
  - completed ADC's Mediation Training and Accreditation, and
  - received their accreditation through ADC, or
  - who seek re-accreditation with ADC as their RMAB of choice.

- Please return your completed application and supporting documents to:

  Learning & Professional Development
  Australian Disputes Centre
  Level 16, 1 Castlereagh Street
  SYDNEY NSW 2000; OR

- Completed applications may be scanned and emailed as a PDF attachment to info@disputescentre.com.au

- If you have any queries, please contact ADC Australia:

  Email: info@disputescentre.com.au
  Telephone: 61 2 9239 0700

The Australian National Mediator Accreditation System (NMAS) was introduced on the 1st January, 2008. It is an industry-based scheme, which relies on voluntary compliance by mediator organisations that agree to accredit mediators in accordance with the requisite standards.

The NMAS is intended to provide a base level of accreditation for all mediators irrespective of their fields of work. Being nationally accredited provides an assurance of quality.

As a condition of ongoing approval, mediators must comply with the **National Practice Standards** and every two years seek re-approval in accordance with the **National Approval Standards**.

Australian Disputes Centre supports best practice in mediation. Under the NMAS, Australian Disputes Centre will act as an accreditation body, taking on the role of a **Recognised Mediator Accreditation Body (RMAB)**.

This application form is for those seeking **National Re- accreditation ONLY**

What are the Accreditation Renewal Requirements?

Section 3 (1) of the Approval Standards contains the "Accreditation Renewal Requirements". It states that mediators must satisfy Australian Disputes Centre that they continue to meet the approval requirements and the mediator must provide evidence that they have **within each two year cycle**:

a) Sufficient practice experience by showing that you have either:
   i. Conducted at least 25 hours of mediation, co-mediation or conciliation within the two-year cycle; or,
   ii. Where a mediator is unable to provide such evidence for due to lack of work opportunities, health or career circumstances or residence in non-urban or CALD communities, must have completed at least 10 hours of mediation, co-mediation or conciliation and must attend such supplementary training, coaching and/ or assessment as ADC considers necessary, in addition to the continuing professional development requirements (CPD)

   And,

b) Have completed at least 25 hours of CPD in every two-year cycle that can be made up as follows:
   i. **Participating in Education (up to 20 hours):** This means participating in formal structured activities such as training seminars and workshops (up to 20 hours) or attending conferences (up to 15 hours)
   ii. **Reflecting on Practice (up to 15 hours):** This means receiving professional supervision or coaching or participating in structured peer-based reflection on mediation cases
   iii. **Providing Professional Development (up to 15 hours):** This means delivering presentations on mediation or related topics, including two hours of preparation time

for each hour delivered, or providing professional supervision, assessment, coaching or mentoring of mediator trainees and mediators

iv. **Credit for related professional CPD (up to 10 hours):** This means hours of CPD completed to maintain professional licensing or accreditation related to their mediation practice, such as in law or in the behavioral or social sciences or in professional field in which they mediate, such as building or engineering.

v. **Learning from Practice (up to 8 hours):** This means participating in up to four mediations as a client representative or in formal learning capacity (up to 2 hours per mediation) or role-playing for trainee mediators and candidates for mediator assessment (up to 2 hours per simulation)

vi. **Self-directed Learning (up to 5 hours):** This means private study such as reading, listening to or viewing pre-recorded content such as podcast, or writing articles or books relevant to mediation that are published in recognized journals or by recognized publishers.

vii. **Other (up to 5 hours):** This means such other activities as may be approved by the MSB on application by ADC.

IMPORTANT

National Mediator Accreditation is for a period of **two years**. As a condition of ongoing approval, mediators **must comply with the Practice Standards** and seek re-approval in accordance with **the Approval Standards** every two years.

It is **your responsibility** to remember when your accreditation expires and when you need to complete an application form for re-accreditation. These forms are available on the Australian Disputes Centre website.

Australian Disputes Centre will not send you a reminder

AUSTRALIAN DISPUTES CENTRE

Application for Re-Accreditation under the National Mediator Accreditation System (NMAS)

To help us process your application, please:

- Use black or blue ballpoint pen
- Print clearly in CAPITAL letters
- Complete all required fields (otherwise we'll need to return for completion)
- Attach all the required documentation

Personal Detail

Title	First Name	Surname

Occupation	Employer

Contact Details

Telephone	Mobile	Email

Address

Street

Suburb/Town	State/Territory	Postcode

1. Have you completed ADC's mediation training and accreditation programme?

   ☐ Yes (please specify) ☐ No

   Date of ADC Training:

   Date of ADC Accreditation:

2. Are you currently listed with ADC's Mediator Network?

   ☐ Yes (please specify) ☐ No

   Date Listed:

3. Are you a current member of, or do you have a relationship with, another ADR Professional Organisation that has relevant ethical requirements, complaints and disciplinary processes as well as ongoing professional support?

   ☐ Yes (please specify) ☐ No

   Name of Organisation:

   Nature of relationship/affiliation:

Signature of Applicant _____Date:_____

Application Fees

- ADC trained mediator seeking accreditation (inclusive of MSB Registration Fee): $210.00 (incl GST)
- Non ADC trained mediator seeking accreditation(inclusive of MSB Registration Fee): $250.00 (incl GST)

MSB Registration Fee

As of March 2012, the MSB has introduced a registration fee of $100 (including gst) payable at the time of accreditation or re-accreditation and thereafter every two years on each succeeding re-accreditation.

As your RMAB, ADC is collecting the $100 for the two year period of your national accreditation. ADC retains $10.00 to contribute to the administration of collecting these fees and remits the remaining $90.00 to the MSB. For more information about MSB registration, please visit www.msb.org.au/accredited-mediators.

Payment Details

☐ Direct bank deposit/transfer to Australian Disptues Centre Ltd

BSB: 082 080 **Account Number**: 519795727

Please ensure your name and the description "**National Accreditation Application Fee**" are detailed on the payment

☐ I enclose a cheque payable to Australian disputes Centre Ltd

☐ Please charge my Visa/MasterCard Account (subject to surcharge of 2.5%)

Card Number:_____ Expiry:_____

Name on Card:_____ Amount: $ _____

Signature of Applicant _____Date:_____

Approval Requirements

a. Good Character

Under the NMAS, a mediator manages processes aimed at maximizing the participants' own decision-making. The mediator must have the personal qualities and appropriate life, social and work experience to conduct the process in an impartial, ethical and professional manner. The National Standards specify that RMAB's require mediators who apply to be accredited to provide evidence of "good character".

Please provide references from **two people** who have known you for more than three years who can attest to the following:

"I have known Applicant for more than three years and regard him/her to be of good character. I believe him/her to be honest and fair with reference to his/her social and/or work life."

Your Declaration

Please tick

- ☐ I declare that I am without any criminal conviction or impairment that could influence my capacity to discharge my obligations as a mediator in a competent, honest and professional manner.
- ☐ I declare that to the best of my knowledge and belief I am not a "prohibited person" (or its equivalent) as defined in a particular jurisdiction.
- ☐ I declare I have not been disqualified to practice by another professional association relating to any other profession (for example, a Law Society or a Medical Association).
- ☐ I declare I have not been refused NMAS accreditation or accreditation renewal or had their accreditation suspended or cancelled.

Signature of Applicant _____Date:_____

b. Compliance

The National Standards require that applicants for national accreditation must undertake to ADC to comply with any relevant legislation

Please tick

☐ I have read and understood my obligations under the National Mediator Practice and Approval Standards

☐ I undertake to comply with the Australian National Mediator Practice and Approval Standards and with any relevant legislation, professional standards and any other requirements that may be relevant to me.

Signature of Applicant _____Date:_____

c. Insurance

The National Standards require that applicants for national accreditation provide ADC with evidence of their current status in respect of their insurance, indemnity or employed status requirements

Please tick and complete appropriate boxes and sign

☐ I confirm that I have private professional indemnity insurance

Name of insurance company:_____

Policy Number:_____

Expiry Date of Policy:_____

OR

☐ I confirm that I have employee status (which provides me with insurance cover where relevant) or statutory indemnity through my employer or the agency that I work with as follows:

Name of Employer or Agency:_____

Signature of Applicant _____Date:_____

Practice Experience

Please tick the appropriate boxes below **and** complete **Appendix 3**

☐ I confirm that I have conducted 25 hours of mediation, co-mediation or conciliation in the past two years

OR

☐ I confirm that I have completed 10 hours of mediation, co-mediation or conciliation in the past two years. The reasons for this are: (tick all boxes that apply)

- ☐ Lack of work opportunities
- ☐ Worked primarily in the related areas of dispute manager, facilitator, conflict coach or related area
- ☐ I have undertaken a family, career or study break
- ☐ I have been ill or injured
- ☐ Other: (please specify)

☐ I confirm that I have completed 25 hours of CPD in the past two years

Please state the **number of hours** you have completed for each of the following CPD activities in the past two years **and** complete **Appendix 2**. (*see page # for categorical definitions*)

Participating in Education		of 20 permissible hours
Reflecting on Practice		of 15 permissible hours
Providing Professional Development		of 15 permissible hours
Credit for related professional CPD		of 10 permissible hours
Learning from Practice		of 10 permissible hours
Self-directed Learning		of 5 permissible hours
Other		of 5 permissible hours

Blended Processes

The National Mediator Standards recognise that some mediators offer services that involve a "blended" process, such as conciliation or advisory and evaluative mediations. In these models, the mediator offers specialised advice such as in legal, building or financial matters. There are additional requirements for mediators who offer blended processes. Applicants who seek to offer specialised advice through the use of a "blended" process must provide evidence to ADC of the items listed below. **If you only give advice about the dispute resolution process, please tick "No" in the first line.**

Please tick the appropriate boxes

Do you intend to use a blended process such as conciliation, advisory or evaluative mediation in your mediation practice?

☐ Yes

☐ No (go to the end of section D and sign declaration

If yes, please complete the following questions:

☐ I confirm that I will obtain consent from the participants to use the blended process.

☐ I confirm within the professional area in which advice is to be given I have current knowledge and experience, hold professional registration, membership, statutory employment or their equivalent, and are covered by current professional indemnity insurance or have statutory immunity.

☐ I ensure that the advice to be provided is provided in a manner that maintains and respects the principles of self-determination.

- In what area(s) do you give advice? (Eg law, building)
- Membership/registration current to (date)
- Name of membership or registering body:
- Name of Qualification
- Membership/registration number:
- Name of the Institution
- Year of Graduation

Signature of Applicant _____Date:_____

Agreement and Signature

I declare that the content of this application is true and correct to the best of my knowledge

☐ Yes ☐ No

I agree that I will notify Australian Disputes Centre in writing of any changes to my circumstances that may reasonably affect this approval in the two year period of the accreditation

☐ Yes ☐ No

I agree that in the event that my circumstances change in relation to the need for indemnity insurance, for example if I begin to practice mediation privately and not only as part of my work for my current organisation, I will notify ADC immediately, and provide my indemnity insurance policy details

☐ Yes ☐ No

I acknowledge that ADC can disclose information about me to the MSB and the MSB can release it to other RMABs upon request.

☐ Yes ☐ No

Signature of Applicant _____Date:_____

IMPORTANT

ADC has the discretion to remove or suspend a mediator in circumstances where it believes, on the balance of probabilities, that there has been non-compliance with the Practice Standards, other relevant ethical guidelines or professional requirements, or the Approval Standards.

In relation to any removal or suspension, a mediator must be informed within 14 days of the concerns of ADC and be provided with an opportunity to respond to ADC.

Appendix 1

Mediators are required to have the capacity to apply the knowledge, skills and understandings as set out in the core competencies listed below. Mediators must ensure that their ongoing professional development continues to maintain and develop these competencies. (*Practice Standards, Section 7)*

Knowledge including, but not limited to:	Skills including, but not limited to:	Ethical Understandings in relation to:
The nature of conflict, including the dynamics of power and violence	Preparation and dispute diagnosis in mediation	The avoidance of conflicts of interest
The appropriateness or inappropriateness of mediation	Intake and screening of both the parties and the dispute to assess suitability for mediation	Marketing and advertising of mediation
Pre-mediation preparation, screening and intake	Conduct and management of the mediation process	Confidentiality, privacy and reporting organisations
Communication patterns in conflict and negotiation situations	Appropriate communication skills, including listening, questioning, reflecting and summarizing, required for the conduct of mediation	Neutrality and impartiality
Negotiation dynamics in mediation	Negotiation techniques and the mediator's role in facilitating negotiation and problem-solving	Fiduciary obligations
cross cultural issues in mediation and dispute resolution	Mediator interventions appropriate for standard difficulties in mediation	Supporting fairness and equity in mediation
The principles, stages and functions of a mediation process	Potential responses to high emotion, power imbalances and violence	Withdrawal from and termination of the mediation process
The roles and functions of mediators	Use of separate meetings and shuttle mediation	
The roles and functions of support persons, lawyers and other professionals in mediation	Asking questions about or in appropriate circumstances, drafting of mediated agreements	
The law of mediation on confidentiality, enforceability of mediated agreements and liability of mediators		

Appendix 2

Type of CPD Activity	Name, subject of course/seminar/workshop etc	Provider/supervisor/ mentee/ other details	Date	Actual number of hours	Number of allowed hours
Participating in Education: This means participating in formal structured activities such as training seminars					**Up to 20**
Reflecting on Practice: This means receiving professional supervision or coaching or participating in structured peer-based reflection on mediation cases					**Up to 15**
Providing Professional Development: This means delivering presentations on mediation or related topics, including two hours of preparation time for each hour delivered, or providing professional supervision, assessment, coaching or mentoring of mediator trainees and mediators					**Up to 15**

Credit for related professional CPD: This means hours of CPD completed to maintain professional licensing or accreditation related to their mediation practice, such as in law or in the behavioral or social sciences or in professional field in which they mediate, such as building or engineering					**Up to 10**
Learning from Practice: This means participating in up to four mediations as a client representative or in formal learning capacity (up to 2 hours per mediation) or role-playing for trainee mediators and candidates for mediator assessment (up to 2 hours per simulation					**Up to 8**
Self-directed Learning: This means private study such as reading, listening to or viewing pre-recorded content such as podcast, or writing articles or books relevant to mediation that are published in recognized journals or by recognized publishers					**Up to 5**
Other: This means such other activities as may be approved by the MSB on application by ADC.					**Up to 5**

Signature of Applicant _____Date:_____

Appendix 3

Mediation, Co-Mediation or Conciliation Hours over the Past Two Years

Solo mediation, co-mediation or conciliation	Date	Co-Mediator's Name, if applicable	Case Manager, if applicable	Number of Hours
Signed by Applicant:----------Date:----------TOTAL HOURS:				