

# PROFESSIONAL PRACTICE STANDARDS

## LEVELS AND TYPES OF ACCREDITATION

LEVEL 4	<div>Specialist Practitioner Profile</div> <div>Specialist practitioners bring specialist or technical expertise to assist parties find mutually agreed solutions within a specific NDR context. In doing so they take a uniquely party-centric approach and meet the requirements of the Specialist practitioner equivalent of the Advanced Mediator Standard.</div> <div>Specialist practitioners typically operate in NDR services governed by legislative frameworks, or within recognised specialist providers of dispute resolution services (SPDRS), and this is the forum within which these practitioners obtain or are recognised for their specialist expertise. Practitioners that potentially fall within this standard include conciliators, family dispute resolution practitioners (FDRPs) and SPDRS practitioners. (MSB to adjust depending on the Code’s coverage)</div> <div>Specialist practitioners draw on their expertise to provide information, guidance or advice matched to their area of expertise and the NDR context in which they operate. At the most sophisticated level, these practitioners draw on specialist cultural, psychological or social expertise to ensure the process and outcomes account for those who are at risk of being disproportionately or adversely affected.</div> <div>Specialist practitioners must meet a range of requirements in order to obtain and renew their accreditation including the Code’s ongoing practice and CPD requirements and any co-existing requirements connected to their NDR context or their specialist expertise.</div>	<div>Advanced Mediator Profile</div> <div>Advanced mediators think strategically about conflict and the ways in which they can assist people to prevent, deescalate or find high-quality, mutually beneficial resolutions to their disputes.</div> <div>They think critically about the factors that play a role in the way that participants might conceptualise and experience conflict or engage with various forms of NDR. Drawing on this knowledge they proactively develop and curate their practice in a way that leverages their advanced expertise or technical skills and adds value beyond the use of a given NDR process. At its most sophisticated this includes working collaboratively with parties, support people and other professionals to prioritise a highly party-centric approach.</div> <div>It is within this context that advanced mediators discern the circumstances in which providing information, guidance or advice may enhance an NDR process or optimise participants’ experience or potential outcomes. This is particularly so where it promotes self-determination and informed decision-making, including the consideration of alternative strategies, NDR processes or practitioners.</div> <div>They draw on their experience to balance or reconcile co-existing priorities and obligations. This informs their ability to differentiate risk management strategies and take action in a manner that is both holistic and congruent with the context or scenario.</div> <div>Advanced mediators must meet a range of requirements in order to obtain or renew their accreditation including ongoing practice and CPD requirements to maintain their knowledge and skills.</div>	<div>Master Mediator &amp; Practitioner Profile</div> <div>Master mediators and practitioners are focused on innovation and thought leadership related to a specific area or issue connected to NDR. They draw on their experience as specialist practitioners or advanced mediators to inform the rigorous and creative processes required to generate new hypotheses or evidence-based insights.</div> <div>Master mediators and practitioners are active contributors and take steps to share and disseminate their work for the benefit of future leaders and generations of practitioners. They also appreciate the importance of high-quality coaching and mentoring, and in doing so may strive to assist others to achieve levels of practice beyond those of the master mediator or practitioner.</div> <div>Master mediators and practitioners must meet a range of requirements in order to obtain or renew their accreditation, including ongoing practice and CPD requirements to maintain their knowledge and skills.</div>	
	<div>Accredited Mediator Profile</div> <div>Accredited mediators see the mediation process holistically. They understand the factors that shape the way that parties might participate and can draw on established theoretical principles to make sense of, predict, or plan for accommodating this within a given context. Drawing on their knowledge and experience, they work with parties, support people and other professionals to support parties’ participation, manage the mediation process and account for risks to even-handedness, safety and the misuse or abuse of the process. Accredited mediators adopt an approach that is consistent with the principles of facilitative mediation and do not provide information, guidance or advice beyond matters relating to the facilitative mediation process or the types of options it might generate. However, accredited mediators, working towards advanced mediator status may offer information, guidance and advice when under the supervision of an advanced mediator and in accordance with the accredited mediator’s obligations under the Code of Ethics. Accredited mediators must meet a range of requirements in order to obtain or renew their accreditation including ongoing practice and CPD requirements to maintain their knowledge and skills.</div>			
	LEVEL 2	<div>Provisionally Accredited Mediator &amp; Specialist Practitioner Profile</div> <div>Provisionally accredited mediators have met the Graduate Standard and are working towards meeting the Accredited Mediator Standard. Their main focus is on consolidating their skills as facilitative mediators. In doing so, they are developing the experience upon which they will be expected to draw as an accredited mediator. Provisionally accredited mediators must meet the practice and CPD requirements in order to apply for accredited mediator status. Specialist practitioners may apply for provisional accreditation status while working within their specialist context. This provides a recognised pathway for these practitioners to seek specialist practitioner status.</div>	<div>Associate Practitioner Profile</div> <div>Associate practitioners are professionals who have met the Graduate Standard and who see the value of incorporating their understanding of conflict resolution and mediation into their work. This may include drawing on the principles learned to prevent or deescalate conflict within their environment, working alongside accredited mediators to assist people resolve conflict or maximising their own participation should the need arise. Associate practitioners must meet a range of requirements in order to obtain or renew their accreditation including ongoing practice and CPD requirements to maintain their knowledge and skills.</div>	
		<div>Graduate Profile</div> <div>Graduates understand the characteristics of conflict and are aware of the factors that influence the potential for people to come to mutually agreeable solutions. They understand the principles and models of mediation and specifically the roles and functions of people within a facilitative mediation context. Graduates are developing a repertoire of strategies and techniques for resolving disputes and are beginning to understand how to select strategies to achieve a specific goal. They have a growing appreciation for the responsibilities of an accredited mediator in relation to the way the process is conducted and the way they conduct themselves more broadly. Graduates understand that the scope for facilitative mediators to provide information, guidance or advice is limited to matters relating to the facilitative mediation process, including confirming that no other types of information, guidance or advice will be provided. Graduates have an emerging capacity to apply this knowledge within a simulated facilitative mediation, including taking on the role of mediator or co-mediator. Within this context, graduates typically follow the guidelines or protocols provided, only making minor adjustments to accommodate common or anticipated scenarios.</div>		

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STANDARDS FOR ASSESSING LEVELS AND TYPES OF ACCREDITATION

Knowledge		Indicative level of quality or complexity required			
ATTRIBUTES	FOCUS AREAS	GRADUATE STANDARD	ACCREDITED MEDIATOR STANDARD	ADVANCED MEDIATOR STANDARD	MASTER MEDIATOR STANDARD
<b>ATTRIBUTE 1.1</b>  <b>Understands conflict and the way people behave when they are in it</b>	<b>FOCUS AREA 1.1.1</b>  <b>Understands the characteristics of conflict</b>	GRADUATE STANDARD 1.1.1.1  Graduates can list common types and sources of conflict that might arise between individuals or within groups. They can also compare conflict's constructive and unconstructive characteristics to identify the elements that tend to form the basis of disputes.  <i>ILLUSTRATION 1.1.1.1</i>  <i>Constructive conflict may feature collaboration and problem solving to generate new ideas or important change. In contrast, unconstructive conflict may dehumanise people or attribute motives to cast the 'other' as inherently bad or lesser.</i>	ACCREDITED STANDARD 1.1.1.2  SEE GRADUATE STANDARD 1.1.1.1	ADVANCED STANDARD 1.1.1.3  Advanced mediators can analyse the patterns of conflict to inform a strategy for diagnosing conflict and formulating priorities for preventing escalation or promoting resolution.	MASTER STANDARD 1.1.1.4  Master mediators can synthesise interdisciplinary knowledge to generate new insights or original ideas on the characteristics of conflict.
	<b>FOCUS AREA 1.1.2</b>  <b>Understands the characteristics of people in conflict</b>	GRADUATE STANDARD 1.1.2.1  Graduates can list the characteristics of people in conflict and situate them within an existing framework or structure.  <i>ILLUSTRATION 1.1.2.1</i>  <i>Frameworks include the Five Core Concerns, the satisfaction triangle, Thomas Kilmann conflict modes, etc.</i>	ACCREDITED STANDARD 1.1.2.2  Mediators can analyse how the characteristics of people in conflict may vary to explain or predict a person's behaviour or decision-making in a given conflict scenario/context.	ADVANCED STANDARD 1.1.2.3  SEE ACCREDITED STANDARD 1.1.2.2	MASTER STANDARD 1.1.2.4  Master mediators can synthesise interdisciplinary knowledge to generate new insights into, or unique approaches to working with, the characteristics of people in conflict.
<b>ATTRIBUTE 1.2</b>  <b>Understands the factors that play a role in conflict and dispute resolution</b>	<b>FOCUS AREA 1.2.1</b>  <b>Understands the role of self-determination in conflict and dispute resolution</b>	GRADUATE STANDARD 1.2.1.1  Graduates can explain the role of self-determination in conflict and dispute resolution, including the circumstances in which the context or situation may be a factor in shaping that role.	ACCREDITED STANDARD 1.2.1.2  Mediators can analyse how mediator practice might shape participants' perceptions of self-determination, irrespective of the dispute resolution context or scenario  ILLUSTRATION 1.2.1.2  <i>Where a mediator may assist parties in identifying areas where they may have more choices than they realise or are immediately apparent.</i>	ADVANCED STANDARD 1.2.1.3  SEE ACCREDITED STANDARD 1.2.1.2	MASTER STANDARD 1.2.1.4  Master mediators can reconcile the principles of self-determination with the inherent requirements of mandatory or prescribed dispute resolution to generate new insights or original ideas about the validity of self-determination as a defining principle of NDR.
	<b>FOCUS AREA 1.2.2</b>  <b>Understands the role of emotions in conflict and dispute resolution</b>	GRADUATE STANDARD 1.2.2.1  Graduates can distinguish between typical and atypical manifestations of emotions in conflict, including the extent to which they may need to	ACCREDITED STANDARD 1.2.2.2  Mediators can analyse how personal preferences and capacities for navigating emotions might influence the extent to which	ADVANCED STANDARD 1.2.2.3  SEE ACCREDITED STANDARD 1.2.2.2	MASTER STANDARD 1.2.2.4  Master mediators can synthesise interdisciplinary knowledge to generate new insights into, or original approaches to navigating, the role of emotions in conflict or dispute resolution.

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		<p>account for cultural, psychological or other contextual differences.</p> <p><i>ILLUSTRATION 1.2.2.1</i></p> <p><i>A typical manifestation of emotion in one culture may be atypical in another culture, or the presence of trauma may trigger an unanticipated emotional response.</i></p>	<p>they play a constructive role in dispute resolution</p> <p><i>ILLUSTRATION 1.2.2.2</i></p> <p><i>A practitioner may need to adjust their practice for participants who are uncomfortable or unable to incorporate emotions; alternatively, some practitioners may need to work on self-regulation in order to stay calm during high emotion.</i></p>		
	<p><b>FOCUS AREA 1.2.3</b></p> <p><b>Understands the role of empathy in conflict and dispute resolution</b></p>	<p>GRADUATE STANDARD 1.2.3.1</p> <p>Graduates can distinguish the different roles that empathy may play in dispute resolution, including the practitioner showing empathy for the parties compared to the practitioner assisting the parties to show empathy for each other.</p>	<p>ACCREDITED STANDARD 1.2.3.2</p> <p>SEE GRADUATE STANDARD 1.2.3.1</p>	<p>ADVANCED STANDARD 1.2.3.3</p> <p>Advanced mediators can critique the role of empathy with reference to a practitioner's ethical obligations in connection with impartiality and bias (actual or perceived).</p>	<p>MASTER STANDARD 1.2.3.4</p> <p>Master mediators can synthesise interdisciplinary knowledge to generate new insights or original ideas on the role of empathy in conflict or dispute resolution</p>
	<p><b>FOCUS AREA 1.2.4</b></p> <p><b>Understands the role of perspective-taking in conflict and dispute resolution</b></p>	<p>GRADUATE STANDARD 1.2.4.1</p> <p>Graduates can describe the role of perspective-taking in conflict and dispute resolution.</p>	<p>ACCREDITED STANDARD 1.2.4.2</p> <p>Mediators can classify the characteristics of perspective-taking with reference to established theory or frameworks</p> <p><i>ILLUSTRATION 1.2.4.2</i></p> <p><i>Characteristics of perspective-taking include mentalising, theory of mind, etc.</i></p>	<p>ADVANCED STANDARD 1.2.4.3</p> <p>Advanced mediators can analyse the relationship between perspective-taking behaviours and the context of a dispute to predict or explain the quality of dispute resolution outcomes in a variety of scenarios.</p>	<p>MASTER STANDARD 1.2.4.4</p> <p>Master mediators can synthesise cross-disciplinary knowledge to generate new insights on, or original approaches to, working with, perspective taking in conflict and dispute resolution.</p>
	<p><b>FOCUS AREA 1.2.5</b></p> <p><b>Understands the dynamics of power and violence and in conflict and dispute resolution</b></p>	<p>GRADUATE STANDARD 1.2.5.1</p> <p>Graduates can compare overt and covert manifestations of power and/or violence in conflict, including how this plays out in dispute resolution.</p> <p><i>ILLUSTRATION 1.2.5.1</i></p> <p><i>Manifestations of power may include various forms of manipulation or intimidation such as diversion, trivialising, impression management, micro-aggressions, threats etc.</i></p>	<p>ACCREDITED STANDARD 1.2.5.2</p> <p>Mediators can design strategies or plans to prevent or manage both overt and covert manifestations of power and/or violence within differing dispute resolution contexts or scenarios.</p>	<p>ADVANCED STANDARD 1.2.5.3</p> <p>SEE ACCREDITED STANDARD 1.2.5.2</p>	<p>MASTER STANDARD 1.2.5.4</p> <p>Master mediators can reconcile power imbalance, cycles of violence and the role of the mediator to formulate new insights or approaches to working with vulnerable people involved in, or connected to, dispute resolution.</p>
	<p><b>FOCUS AREA 1.2.6</b></p> <p><b>Understands that diversity and inclusion influence experiences of conflict and dispute resolution</b></p>	<p>GRADUATE STANDARD 1.2.6.1</p> <p>Graduates can identify ways in which experiences of conflict or dispute resolution may differ for those who vary in some way from the prevailing cultural or societal norms.</p> <p><i>ILLUSTRATION 1.2.6.1</i></p> <p><i>How might the experiences of First Nations people, LGBTQIA+ people, refugees, autistic people, people experiencing mental illness, etc., differ from people who are cis-gendered, heterosexual, abled, middle-class and/or white?</i></p>	<p>ACCREDITED STANDARD 1.2.6.2</p> <p>Mediators can compare the direct, indirect or systemic factors that may impact diverse people's accessibility or inclusion as dispute resolution practitioners or potential users of dispute resolution services.</p>	<p>ADVANCED STANDARD 1.2.6.3</p> <p>Advanced mediators can apply established frameworks or principles to evaluate the extent to which an existing dispute resolution process/service is accessible and inclusive of both diverse dispute resolution practitioners and potential users of dispute resolution processes/services.</p> <p><i>ILLUSTRATION 1.2.6.3</i></p>	<p>MASTER STANDARD 1.2.6.4</p> <p>Master mediators can use an evidenced-based framework or set of principles to redesign or create original dispute resolution processes or services that are accessible and inclusive for diverse practitioners or diverse users of dispute resolution.</p>

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				Apply the principles of universal design to evaluate a current dispute resolution service offering.	
<b>ATTRIBUTE 1.3</b> <b>Knows the principles and models for mediation and the roles/functions of the people involved</b>	<b>FOCUS AREA 1.3.1</b> <b>Knows the principles of mediation, including what makes a matter suitable for a given process</b>	GRADUATE STANDARD 1.3.1.1 Graduates can compare the principles of facilitative mediation with the principles of other forms of non-determinative dispute resolution (NDR). <i>ILLUSTRATION 1.3.1.1</i> <i>Other forms of NDR include other styles of mediation, negotiation, conciliation, restorative practice, hybrid processes, etc.</i>	ACCREDITED STANDARD 1.3.1.2 SEE GRADUATE STANDARD 1.3.1.1	ADVANCED STANDARD 1.3.1.3 Advanced mediators can differentiate between different forms of non-determinative dispute resolution (NDR) and their underlying principles to justify an on-balance judgement about the most suitable form of dispute resolution for a given scenario or context.	MASTER STANDARD 1.3.1.4 Master mediators can synthesise cross-disciplinary knowledge to revise or generate new principles for distinguishing facilitative mediation and/or other forms of NDR.
	<b>FOCUS AREA 1.3.2</b> <b>Knows the mediation process</b>	GRADUATE STANDARD 1.3.2.1 Graduates can explain the elements or features that distinguish the facilitative mediation process from other forms of mediation or NDR.	ACCREDITED STANDARD 1.3.2.2 SEE GRADUATE STANDARD 1.3.2.1	ADVANCED STANDARD 1.3.2.3 Advanced mediators can differentiate between defining and non-defining elements of a given NDR process to inform the scope for adjustments based on participants needs or goals. <i>ILLUSTRATION 1.3.2.3</i> <i>Facilitative mediation may be conducted face-to-face or online [non-defining] whereas it must focus on assisting parties to find solutions that meet their underlying needs or interests [defining].</i>	MASTER STANDARD 1.3.2.4 Master mediators can synthesise cross-disciplinary knowledge to generate new or improved mediation or NDR processes.
	<b>FOCUS AREA 1.3.3</b> <b>Knows the role of the mediator</b>	GRADUATE STANDARD 1.3.3.1 Graduates can compare the role of the facilitative mediator with the role of practitioners in other forms of mediation or non-determinative dispute resolution.	ACCREDITED STANDARD 1.3.3.2 SEE GRADUATE STANDARD 1.3.3.1	ADVANCED STANDARD 1.3.3.3 Advanced mediators can differentiate between defining and non-defining elements of the practitioner's role in a given non-determinative process to inform adjustments or modifications to accommodate factors such as the parties' goals or context of the dispute. <i>ILLUSTRATION 1.3.3.3</i> <i>Facilitative mediation may include scope for lawyers to provide advice [non-defining] whereas it does not allow for the mediator to provide legal advice [defining].</i>	MASTER STANDARD 1.3.3.4 Master mediators can synthesise cross-disciplinary knowledge to generate new insights into, or original ways to conceptualise, the role of practitioners in relation to the form of mediation or type of NDR.
	<b>FOCUS AREA 1.3.4</b> <b>Knows the role of the parties</b>	GRADUATE STANDARD 1.3.4.1 Graduates can describe the role of the parties in facilitative mediation.	ACCREDITED STANDARD 1.3.4.2 Mediators can compare the role of the parties in facilitative mediation with their role in other forms of mediation or NDR.	ADVANCED STANDARD 1.3.4.3 Advanced mediators can differentiate between defining and non-defining elements of a party's role in a given form of NDR to inform a plan to manage parties' expectations and optimise their contribution.	MASTER STANDARD 1.3.4.4 Master mediators can synthesise cross-disciplinary knowledge to generate new theories on, or unique ways to construct, the role of parties in facilitative mediation or other forms of NDR.



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	<b>FOCUS AREA 1.3.5</b> <b>Knows the role of support persons, lawyers and other professionals</b>	<b>GRADUATE STANDARD 1.3.5.1</b> Graduates can describe the role of support persons, lawyers and other professionals in facilitative mediation.	<b>ACCREDITED STANDARD 1.3.5.2</b> Mediators can compare the role of support persons, lawyers and other professionals in facilitative mediation with their role in other forms of mediation or NDR.	<b>ADVANCED STANDARD 1.3.5.3</b> Advanced mediators can differentiate between defining and non-defining elements of support persons', lawyers' and other professionals' roles in a given form of NDR to inform negotiations for optimising their contribution.	<b>MASTER STANDARD 1.3.5.4</b> Master mediators can synthesise cross-disciplinary knowledge to generate new ideas on, or original ways to optimise, the role of support persons, lawyers and other professionals in mediation or other types of NDR.
<b>ATTRIBUTE 1.4</b> <b>Knows a range of strategies or techniques for resolving conflict and when to use them</b>	<b>FOCUS AREA 1.4.1</b> <b>Knows communication strategies or techniques</b>	<b>GRADUATE STANDARD 1.4.1.1</b> Graduates can identify communication strategies to achieve stated goals or fulfil parts of a facilitative mediation or other non-determinative dispute resolution process. <i>ILLUSTRATION 1.4.1.1</i> <i>Typical communication strategies include rephrasing to neutralise inflammatory language, open-ended questioning to elicit information, open body posture to suggest openness to ideas, timely exchange of documents, etc.</i>	<b>ACCREDITED STANDARD 1.4.1.2</b> SEE GRADUATE STANDARD 1.4.1.1	<b>ADVANCED STANDARD 1.4.1.3.</b> Advanced mediators can analyse the ways that communication styles may vary to inform a communication strategy tailored to specific participants and the context for resolving the conflict or dispute.	<b>MASTER STANDARD 1.4.1.4</b> Master mediators can synthesise cross-disciplinary knowledge to create new insights or original ideas on communication strategies or techniques for resolving conflict.
	<b>FOCUS AREA 1.4.2</b> <b>Knows negotiation strategies or techniques</b>	<b>GRADUATE STANDARD 1.4.2.1</b> Graduates can describe the characteristics of interest-based negotiation and their function in resolving conflict, particularly within a facilitative mediation context. <i>ILLUSTRATION 1.4.2.1</i> <i>Characteristics of negotiation include the seven elements, the four principles, negotiation stage, prioritisation of interest-focused options, BATNA, etc.</i>	<b>ACCREDITED STANDARD 1.4.2.2</b> Mediators can compare different types of negotiation, including the way in which each typically influences the strategies and techniques used for resolving conflicts. <i>ILLUSTRATION 1.4.2.2</i> <i>Principled negotiation strategies focus on expanding the pie, distributive negotiation strategies focus on portioning the pie.</i>	<b>ADVANCED STANDARD 1.4.2.3</b> Advanced mediators can analyse the ways that negotiation styles might vary to identify strategies tailored to specific participants and the dispute resolution context.	<b>MASTER STANDARD 1.4.2.4</b> Master mediators can synthesise cross-disciplinary knowledge to create new insights or original ideas on negotiation strategies or techniques for resolving conflict.
	<b>FOCUS AREA 1.4.3</b> <b>Knows problem-solving strategies or techniques</b>	<b>GRADUATE STANDARD 1.4.3.1</b> Graduates can identify problem-solving strategies to achieve stated goals or fulfil parts of a given non-determinative dispute resolution process. <i>ILLUSTRATION 1.4.3.1</i> <i>Typical problem-solving strategies include brainstorming, SWOT analysis, root cause analysis, 5 whys, considering alternatives, developing multiple options, etc.</i>	<b>ACCREDITED STANDARD 1.4.3.2</b> SEE GRADUATE STANDARD 1.4.3.1	<b>ADVANCED STANDARD 1.4.3.3</b> Advanced mediators can analyse the ways that problem-solving styles might vary to identify strategies tailored to specific participants and the context of the dispute.	<b>MASTER STANDARD 1.4.3.4</b> Master mediators can synthesise cross-disciplinary knowledge to create new insights or original ideas on problem-solving strategies or techniques for resolving conflict.
	<b>FOCUS AREA 1.4.4</b> <b>Knows reality-testing strategies or techniques</b>	<b>GRADUATE STANDARD 1.4.4.1</b> Graduates can identify reality-testing strategies to achieve stated goals or fulfil parts of a given NDR process. <i>ILLUSTRATION 1.4.4.1</i>	<b>ACCREDITED STANDARD 1.4.4.2</b> SEE GRADUATE STANDARD 1.4.4.1	<b>ADVANCED STANDARD 1.4.4.3</b> Advanced mediators can evaluate the risks associated with reality-testing strategies involving the use of information, guidance and advice across a range of NDR contexts.	<b>MASTER STANDARD 1.4.4.4</b> Master mediators can synthesise cross-disciplinary knowledge to create new insights or original ideas on reality testing strategies or techniques for resolving conflict.

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		Reality-testing strategies include seeking expert advice or opinion, providing statistical information about typical outcomes, etc.		ILLUSTRATION 1.4.4.3 <i>What is the potential for cultural guidance to prompt perceptions of bias or unfairness in traditional mediation contexts; what is the risk for conciliators to perceptions that they are making determinations when they are providing guidance and advice as part of reality testing, etc.?</i>	
<b>ATTRIBUTE 1.5</b> <b>Understands the requirement for even-handedness, safety and protection against misuse of the process</b>	<b>FOCUS AREA 1.5.1</b> <b>Understands the requirement for even-handedness</b>	GRADUATE STANDARD 1.5.1.1 Graduates can describe ways in which even-handedness typically manifests in facilitative mediation.	ACCREDITED STANDARD 1.5.1.2 Mediators can analyse the elements of even-handedness to compare strategies for managing expectations and misconceptions across NDR contexts.  ILLUSTRATION 1.5.1.2 <i>How might strategies for managing expectations about impartiality change if the dispute resolution process includes the need to share unfavourable information about remedies being sought?</i>	ADVANCED STANDARD 1.5.1.3 SEE ACCREDITED STANDARD 1.5.1.2	MASTER STANDARD 1.5.1.4 Master mediators can synthesise cross-disciplinary knowledge to generate new insights or original ideas on even-handedness as an inherent requirement of NDR.
	<b>FOCUS AREA 1.5.2</b> <b>Understands the requirement for managing power and safety</b>	GRADUATE STANDARD 1.5.2.1 Graduates can identify managing power and safety as an inherent requirement in facilitative mediation and cite examples that would require the mediator to refuse to commence, to suspend and/or to terminate the process.	ACCREDITED STANDARD 1.5.2.2 Mediators can contrast requirements to manage power and safety in different NDR contexts, including the various circumstances in which a practitioner may consider refusing to commence, to suspend and/or to terminate the given process.  ILLUSTRATION 1.5.2.2 <i>There may be different expectations for managing power and safety in the context of a personal safety intervention order mediation as compared to a workplace mediation, including when it would be reasonable to suspend or terminate a process.</i>	ADVANCED STANDARD 1.5.2.3 Advanced mediators can differentiate between requirements to manage power and safety within NDR and other professional contexts to devise a risk management strategy that reconciles the possibility of co-existing obligations.  ILLUSTRATION 1.5.2.3 <i>Practitioners with co-existing professions may also have co-existing obligations such as duty of care and duty to warn.</i>	MASTER STANDARD 1.5.2.4 Master mediators can synthesise cross-disciplinary knowledge to critique the current requirements for practitioners to manage power and safety to form original ideas on practitioner safety in NDR.
	<b>FOCUS AREA 1.5.3</b> <b>Understands the requirement for protecting against the misuse or abuse of the process</b>	GRADUATE STANDARD 1.5.3.1 Graduates can identify protecting against misuse and abuse of the process as an inherent requirement in facilitative mediation and cite examples where it would be appropriate for a mediator to refuse to commence, to suspend and/or to terminate the process.	ACCREDITED STANDARD 1.5.3.2 Mediators can contrast the circumstances where a mediator may vary their assessment of misuse or abuse of the process, depending on the form of mediation and/or the non-determinative dispute resolution context.  ILLUSTRATION 1.5.3.2 It may be accepted that within some civil mediation contexts the process will be used in part to assess risk attitudes, testimonial evidence or self-doubts, while in a community context this may constitute bad faith and	ADVANCED STANDARD 1.5.3.3 Advanced mediators can differentiate between critical and non-critical factors to design a strategy for assessing misuse or abuse of the process, including when it is appropriate to refuse to commence, to suspend and/or to terminate a mediation relative to the form of mediation or NDR context.	MASTER STANDARD 1.5.3.4 Master mediators can synthesise cross-disciplinary knowledge to generate new ideas on, or revised presumptions governing, behaviours that constitute misuse or abuse of the process and the circumstances within which practitioners might refuse to commence, suspend or terminate a process relative to the NDR context.

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			prompt suspension or termination of the process.		
<b>ATTRIBUTE 1.6</b>  <b>Understands the ethical, professional and legal obligations of accredited mediators</b>	<b>FOCUS AREA 1.6.1</b>  <b>Understands the ethical obligations of an accredited mediator</b>	<b>GRADUATE STANDARD 1.6.1.1</b>  Graduates can identify the Code as the framework governing the ethical obligations of accredited mediators, including expectations concerning the provision of accessible and inclusive services, the promotion of self-determination and informed decision-making, the commitment to even-handedness, safety and preventing misuse of the process, and the declaration of interests.	<b>ACCREDITED STANDARD 1.6.1.2</b>  Mediators can describe the ways in which conflicting ethical obligations might arise, depending on the context within which the mediator is working and the dispute resolution processes available to the parties.  <i>ILLUSTRATION 1.6.1.2</i>  <i>Is it ever appropriate to mediate claims of workplace bullying or cultural safety given that they are inherently non-negotiable?</i>	<b>ADVANCED STANDARD 1.6.1.3</b>  Advanced mediators can reconcile interactions between the Code and co-existing ethical obligations to develop a strategy for managing inconsistencies and promoting trust in the field.	<b>MASTER STANDARD 1.6.1.4</b>  Master mediators can critique the interaction between the Code and socio-cultural ethical norms to formulate recommendations for changes or modifications to the Code, or innovative ways to navigate these ethical conundrums.
	<b>FOCUS AREA 1.6.2</b>  <b>Understands the professional obligations of an accredited mediator</b>	<b>GRADUATE STANDARD 1.6.2.1</b>  Graduates can identify the Code as the framework governing the professional obligations of accredited mediators, including expectations concerning professional interactions and representations, ongoing professional development and competence, and complaints handling.	<b>ACCREDITED STANDARD 1.6.2.2</b>  Mediators can describe the ways in which other professional obligations might interact with the obligations arising from the Code, depending on the professional background of the practitioner, the type of NDR being offered, or context within which the mediator is working.  <i>ILLUSTRATION 1.6.2.2</i>  <i>Lawyers or psychologists have co-existing professional obligations; this may also be the case for practitioners with dual accreditation, such as FDRPs.</i>	<b>ADVANCED STANDARD 1.6.2.3</b>  Advanced mediators can reconcile interactions between the Code and co-existing professional obligations to develop a strategy for managing inconsistencies or professional risk.	<b>MASTER STANDARD 1.6.2.4</b>  Master mediators can critique the interaction between the Code and other cross-disciplinary professional obligations to formulate evidence-based recommendations for changes or modifications to either the Code or the respective cross- disciplinary professional obligations.
	<b>FOCUS AREA 1.6.3</b>  <b>Understands the legal obligations of an accredited mediator</b>	<b>GRADUATE STANDARD 1.6.3.1</b>  Graduates can identify the legal and regulatory frameworks which typically apply to facilitative mediators.  <i>ILLUSTRATION 1.6.3.1</i>  <i>Legal are regulatory frameworks are the various state-based Civil Procedure Acts, the Uniform Evidence Acts, the Legal Profession Uniform Laws, 'Without prejudice' privilege, etc.</i>	<b>ACCREDITED STANDARD 1.6.3.2</b>  Mediators can describe the ways in which legal or regulatory frameworks might override or interact with the obligations arising from the Professional Practice Standards, depending on the form of mediation, type of NDR being offered, or context within which the mediator is working.  <i>ILLUSTRATION 1.6.3.2</i>  <i>If mediation is mandated or a statutory regime limits the remedies available to parties, it may make it more challenging for some practitioners to promote self-determination.</i>	<b>ADVANCED STANDARD 1.6.3.3</b>  Advanced mediators can reconcile interactions between the Code and co-existing legislative or regulatory frameworks to develop a strategy for managing inconsistencies or legal risk	<b>MASTER STANDARD 1.6.3.4</b>  Master mediators can critique the interaction between the Code and other cross-disciplinary legislative and/or regulatory regimes to inform evidence-based recommendations for changes or modifications to either the Code or the respective cross-disciplinary legislative or regulatory framework.
<b>ATTRIBUTE 1.7</b>  <b>Understands the scope and types of information,</b>	<b>FOCUS AREA 1.7.1</b>  <b>Understands the scope and types of information, guidance or advice on</b>	<b>GRADUATE STANDARD 1.7.1.1</b>  Graduates can list examples of 'procedural' information, guidance or advice typically permissible within a facilitative mediation.	<b>ACCREDITED STANDARD 1.7.1.2</b>  Mediators can compare the scope and type of 'procedural' information, guidance or advice in facilitative mediation with that of other forms of	<b>ADVANCED STANDARD 1.7.1.3</b>  Advanced mediators can analyse the characteristics of 'procedural' information, guidance or advice across varying forms of mediation and/or other non-determinative	<b>MASTER STANDARD 1.7.1.4</b>  Master mediators can synthesise cross-disciplinary knowledge to generate insights into best practice or formulate unique perspectives on 'procedural'

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<b>guidance or advice offered by mediators</b>  Note: Arranged from least complex to most complex	<b>procedural matters, including the process if no agreement is reached ('procedural')</b>	<b>ILLUSTRATION 1.7.1.1</b>  <i>Procedural information typically includes what to expect from the facilitative mediation process, the role of the mediator, at what stage the parties can suggest options for resolution, the process if the parties don't attend etc.</i>	mediation and/or non-determinative dispute resolution.  <b>ILLUSTRATION 1.7.1.2</b>  <i>How might the scope for information, guidance or advice on the consequences of not reaching an agreement differ between mediators offering facilitative mediation compared to those practising within a court-annexed program or larger statutory dispute resolution scheme?</i>	dispute resolution to identify general principles for practice within a given dispute resolution context.  <b>ILLUSTRATION 1.7.1.3</b>  <i>Providing guidance or advice might be permissible in the given context but does framing it as information, or remaining silent, tend to be more conducive to resolution? Alternatively, is it typically more effective in the given context to explicitly advise parties about certain procedural matters from the outset?</i>	information, guidance or advice within non-determinative dispute resolution contexts.
	<b>FOCUS AREA 1.7.2</b>  <b>Understands the scope and types of information, guidance or advice about options for resolution ('options')</b>	<b>GRADUATE STANDARD 1.7.2.1</b>  Graduates can list examples of 'options' information, guidance or advice typically permissible within a facilitative mediation.  <b>ILLUSTRATION 1.7.2.1</b>  <i>Options information, guidance or advice such as providing information during intake on the types of options parties often need to weigh up, indirect guidance via questioning in private sessions.</i>	<b>ACCREDITED STANDARD 1.7.2.2</b>  Mediators can compare the scope and type of 'options' information, guidance or advice in facilitative mediation with that of other forms of mediation or NDR.  <b>ILLUSTRATION 1.7.2.2</b>  <i>How might the scope for guidance on options differ between mediators offering facilitative mediation compared to those working within organisational structures or specialist technical contexts?</i>	<b>ADVANCED STANDARD 1.7.2.3</b>  Advanced mediators can analyse the characteristics of 'options' information guidance or advice across varying forms of mediation and/or other NDR to identify general principles for practice within a given dispute resolution context.  <b>ILLUSTRATION 1.7.2.3</b>  <i>Providing guidance or advice might be permissible in the given context but does framing it as information, or remaining silent, tend to be more conducive to resolution? Alternatively, is it typically more effective in the given context to explicitly advise parties about their options for resolution at the outset?</i>	<b>MASTER STANDARD 1.7.2.4</b>  Master mediators can synthesise cross-disciplinary knowledge to generate insights into best practice or formulate unique perspectives on 'options' information, guidance or advice within NDR contexts.
	<b>FOCUS AREA 1.7.3</b>  <b>Understands the scope and types of information, guidance or advice on substantive matters ('substance')</b>	<b>GRADUATE STANDARD 1.7.3.1</b>  Graduates can list examples of 'substance' information, guidance or advice which are typically permissible within a facilitative mediation.  <b>ILLUSTRATION 1.7.3.1</b>  <i>This may include information about common topics for the agenda as part of intake or during agenda-setting phase or indirect guidance via reality testing in private sessions.</i>	<b>ACCREDITED STANDARD 1.7.3.2</b>  Mediators can compare the scope and type of 'substance' information, guidance or advice in facilitative mediation with that of other forms of mediation and/or NDR.  <b>ILLUSTRATION 1.7.3.2</b>  <i>How might the scope for guidance on the formulation of the agenda differ between mediators offering facilitative mediation compared to those practising within a court-annexed program or larger statutory dispute resolution scheme?</i>	<b>ADVANCED STANDARD 1.7.3.3</b>  Advanced mediators can analyse the characteristics of 'substance' information, guidance or advice across varying forms of mediation and/or other NDR to identify general principles for practice within a given dispute resolution context.  <b>ILLUSTRATION 1.7.3.3</b>  <i>Providing guidance or advice might be permissible in the given context but does framing it as information, or remaining silent, tend to be more conducive to resolution? Alternatively, is it typically more effective in the given context to explicitly advise parties about certain substantive matters at the outset?</i>	<b>MASTER STANDARD 1.7.3.4</b>  Master mediators can synthesise cross-disciplinary knowledge to generate insights into best practice or formulate unique perspectives on 'substance' information, guidance or advice within NDR contexts.
	<b>FOCUS AREA 1.7.4</b>  <b>Understands the scope and types of information, guidance or advice on the associated regulatory</b>	<b>GRADUATE STANDARD 1.7.4.1</b>  Graduates can list examples of 'regulatory' information, guidance or advice which are typically permissible within a facilitative mediation.	<b>ACCREDITED STANDARD 1.7.4.2</b>  Mediators can compare the scope for 'regulatory' information, guidance or advice within facilitative mediation with that of other forms of mediation and/or NDR.	<b>ADVANCED STANDARD 1.7.4.3</b>  Advanced mediators can analyse the characteristics of 'regulatory' information, guidance or advice across varying forms of mediation and/or other NDR to identify general principles for practice within a given context.	<b>MASTER STANDARD 1.7.4.4</b>  Master mediators can synthesise cross-disciplinary knowledge to generate insights into best practice or formulate unique perspectives on 'regulatory' information, guidance or advice within NDR contexts.



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	framework, law or code ('regulatory')	<p><i>ILLUSTRATION 1.7.4.1</i></p> <p><i>This may include regulatory advice on whether any agreement reached is in good faith or legally binding.</i></p>	<p><i>ILLUSTRATION 1.7.4.2</i></p> <p><i>How might the scope for guidance on the consequences of an agreement differ between mediators offering facilitative mediation compared to those practising within a court-annexed program or larger statutory dispute resolution scheme?</i></p>	<p><i>ILLUSTRATION 1.7.4.3</i></p> <p><i>Providing guidance or advice might be permissible in the given context but does framing it as information, or remaining silent, tend to be more conducive to resolution? Alternatively, is it typically more effective in the given context to explicitly advise parties about the regulatory requirements from the outset?</i></p>	
	<p><b>FOCUS AREA 1.7.5</b></p> <p><b>Understands the scope and types of information, guidance or advice about outcomes observed in similar disputes, claims or cases ('outcomes')</b></p>	<p>GRADUATE STANDARD 1.7.5.1</p> <p>Graduates can list examples of 'outcomes' information, guidance or advice which are typically permissible within a facilitative mediation.</p> <p><i>ILLUSTRATION 1.7.5.1</i></p> <p><i>This may include guidance about the types of outcomes available via facilitative mediation when assessing if the matter is suitable for a particular mediation service.</i></p>	<p>ACCREDITED STANDARD 1.7.5.2</p> <p>Mediators can compare the scope and type of 'outcomes' information, guidance or advice in facilitative mediation with that of other forms of mediation or NDR.</p> <p><i>ILLUSTRATION 1.7.5.2</i></p> <p><i>How might the scope for guidance on the terms of an agreement differ between mediators offering facilitative mediation compared to those practising within a court-annexed program or larger statutory dispute resolution scheme?</i></p>	<p>ADVANCED STANDARD 1.7.5.3</p> <p>Advanced mediators can analyse the characteristics of 'outcomes' information, guidance or advice across varying forms of mediation and/or other NDR to identify general principles for practice within a given context.</p> <p><i>ILLUSTRATION 1.7.5.3</i></p> <p><i>Providing guidance or advice might be permissible in the given context but does framing it as information, or remaining silent, tend to be more conducive to resolution? Alternatively, is it typically more effective in the given context to explicitly advise parties from the outset about outcomes observed in similar cases?</i></p>	<p>MASTER STANDARD 1.7.5.4</p> <p>Master mediators can synthesise cross-disciplinary knowledge to generate insights into best practice or formulate unique perspectives on 'outcomes' information, guidance or advice within NDR contexts.</p>
	<p><b>FOCUS AREA 1.7.6</b></p> <p><b>Understands scope and types of information, guidance or advice about the merits of a claim or case ('merits')</b></p>	<p>GRADUATE STANDARD 1.7.6.1</p> <p>Graduates can list examples of 'merits' information, guidance or advice typically permissible within a facilitative mediation.</p> <p><i>ILLUSTRATION 1.7.6.1</i></p> <p><i>Merits guidance may include indirect guidance via reality testing in private sessions.</i></p>	<p>ACCREDITED STANDARD 1.7.6.2</p> <p>Mediators can compare the scope and type of 'merits' information, guidance or advice in facilitative mediation with that of other forms of mediation or NDR.</p> <p><i>ILLUSTRATION 1.7.6.2</i></p> <p><i>How might the scope for information on assessing risk differ between mediators offering facilitative mediation compared to those practising within a court-annexed program or larger statutory dispute resolution scheme?</i></p>	<p>ADVANCED STANDARD 1.7.6.3</p> <p>Advanced mediators I can analyse the characteristics of 'merits' information, guidance or advice across varying forms of mediation and/or other NDR to identify general principles for practice within a given context.</p> <p><i>ILLUSTRATION 1.7.6.3</i></p> <p><i>Providing guidance or advice might be permissible in the given context but does framing it as information, or remaining silent, tend to be more conducive to resolution? Alternatively, is it typically more effective in the given context to explicitly advise parties about certain merit- based matters at the outset?</i></p>	<p>MASTER STANDARD 1.7.6.4</p> <p>Master mediators can synthesise cross-disciplinary knowledge to generate insights into best practice or formulate unique perspectives on 'merits' information, guidance or advice within NDR contexts.</p>
	<p><b>FOCUS AREA 1.7.7</b></p> <p><b>Understands the scope and types of information, guidance or advice on the cultural, psychological or social context ('socio-cultural or psychological')</b></p>	<p>GRADUATE STANDARD 1.7.7.1</p> <p>Graduates can list examples of 'socio-cultural or psychological' information, guidance or advice which are typically permissible within a facilitative mediation.</p> <p><i>ILLUSTRATION 1.7.7.1</i></p> <p><i>Socio-cultural advice may include advice to avoid scheduling a mediation during a religious</i></p>	<p>ACCREDITED STANDARD 1.7.7.2</p> <p>Mediators can compare the scope and type of 'socio-cultural or psychological' information, guidance or advice in facilitative mediation with that of other forms of mediation or NDR.</p> <p><i>ILLUSTRATION 1.7.7.2</i></p> <p><i>How might the scope for guidance on who might participate in mediation differ between mediators offering facilitative mediation to the general population compared to those working</i></p>	<p>ADVANCED STANDARD 1.7.7.3</p> <p>Advanced mediators can analyse the characteristics of 'socio-cultural or psychological' information, guidance or advice across varying forms of mediation and/or other NDR to identify general principles for practice within a given context.</p> <p><i>ILLUSTRATION 1.7.7.3</i></p> <p><i>Providing guidance or advice might be permissible in the given context but does</i></p>	<p>MASTER STANDARD 1.7.7.4</p> <p>Master mediators can synthesise cross-disciplinary knowledge to generate insights into best practice or formulate unique perspectives on 'socio-cultural or psychological' information, guidance or advice within NDR contexts.</p>

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		<i>festival, guidance on the inclusion of young people.</i>	<i>with vulnerable people or practising within a specific cultural context?</i>	<i>framing it as information, or remaining silent, tend to be more conducive to resolution? Alternatively, is it typically more effective in the given context to explicitly advise parties about psychological or socio-cultural factors from the outset?</i>	
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Skills		Indicative level of quality or complexity required			
ATTRIBUTES	FOCUS AREAS	GRADUATE STANDARD	ACCREDITED MEDIATOR STANDARD	ADVANCED MEDIATOR STANDARD	MASTER MEDIATOR STANDARD
ATTRIBUTE 2.1 Conducts an initial assessment or triage (or someone conducts it on their behalf)	FOCUS AREA 2.1.1 Assesses the suitability of the matter for mediation generally	GRADUATE STANDARD 2.1.1.1  Graduates adhere to established guidelines for assessing whether a matter is suitable for mediation.  <i>ILLUSTRATION 2.1.1.1</i>  <i>They stick to the guidelines provided as part of initial training.</i>	ACCREDITED STANDARD 2.1.1.4  Even if they have a set of guidelines, Mediators make small changes to the process depending on the situation.  <i>ILLUSTRATION 2.1.1.4</i>  <i>The screening process might be shorter for repeat clients.</i>	ADVANCED STANDARD 2.1.1.3  Advanced mediators draw on their experience to identify salient or critical features that typically make matters suitable for mediation.  <i>ILLUSTRATION 2.1.1.3</i>  <i>Both parties have an interest in keeping the outcome confidential.</i>	MASTER STANDARD 2.1.1.4  Master mediators are thought leaders or innovators in this area. They quickly sense when a matter is suitable for mediation. This means that I can tell when a matter is suitable even if it doesn't tick all the typical suitability boxes.
	FOCUS AREA 2.1.2 Assesses the suitability or the service and/or competence of the mediator (self or other) in relation to the matter	GRADUATE STANDARD 2.1.2.1  Graduates follow existing guidelines for assessing whether the mediator (self or other) or the service is a suitable match for the matter.	ACCREDITED STANDARD 2.1.2.2  Even if they have a set of guidelines, Mediators make careful decisions when assessing whether the service or mediator (self or other) is a suitable match for the matter.  <i>ILLUSTRATION 2.1.2.2</i>  <i>They know there are some common circumstances where a dispute may involve family members but not require the use of an FDRP.</i>	ADVANCED STANDARD 2.1.2.3  Advanced mediators draw on their experience to identify the presence of salient or critical features which typically determine if a service is suitable or if the mediator (self or other) has the required level of competence.	MASTER STANDARD 2.1.2.4  Master mediators are thought leaders or innovators in this area. They quickly sense when a particular service or mediator (self or other) is suitable for a given matter. This means that they can tell when a service or mediator is a good fit even if it doesn't always look that way at first.
	FOCUS AREA 2.1.3 Assesses if parties need advice and support from other services	GRADUATE STANDARD 2.1.3.1  Graduates follow guidelines for assessing whether parties may need advice or support from other services.  <i>ILLUSTRATION 2.1.3.1</i>  <i>They might provide parties with a list of commonly used advice and support services.</i>	ACCREDITED STANDARD 2.1.3.2  Even if they have a set of guidelines, Mediators might make small adjustments based on feedback from the parties.  <i>ILLUSTRATION 2.1.3.2</i>  <i>They might make suggestions or encourage the use of services matched to parties' needs.</i>	ADVANCED STANDARD 2.1.3.3  Advanced mediators combine input from the parties with their experience to identify the presence of salient or critical needs beyond the scope of their service, which if not addressed, might have a negative impact on the process or a party's ability to participate.	MASTER STANDARD 2.1.3.4  Master mediators are thought leaders or innovators in this area. They quickly sense when parties may need access to support or advice from another service in order to make the most of the process. their depth of experience means that they can tell when a party may need to access these services even if it is not immediately apparent.
	FOCUS AREA 2.1.4 Establishes a plan for mediation	GRADUATE STANDARD 2.1.4.1  Even if they have a template to follow when establishing a plan for mediation, Graduates take the time to identify anything that might be missing or clarify potential misconceptions.	ACCREDITED STANDARD 2.1.4.2  Mediators combine input from the parties with their experience to identify the critical elements and priorities when establishing a plan for mediation. This allows them the flexibility to think things through and adapt the plan to	ADVANCED STANDARD 2.1.4.3  SEE ACCREDITED STANDARD 2.1.4.2	MASTER STANDARD 2.1.4.4  Master mediators are thought leaders or innovators in this area. They quickly anticipate what parties need when establishing a plan for mediation. Their depth of experience means they

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		<p><i>ILLUSTRATION 2.1.4.1</i></p> <p><i>If the office has moved location or the parties appear to have misunderstood the process will be online etc.</i></p>	match the parties’ objectives or the context of the dispute.		sometimes perceive planning needs that may not be obvious to those with less experience.
<b>ATTRIBUTE 2.2</b>  <b>Supports self-determination and informed decision making</b>	<b>FOCUS AREA 2.2.1</b>  <b>Assists parties understand what to expect from the process and the roles of the people involved, including voluntariness and authority to make decisions</b>	<p>GRADUATE STANDARD 2.2.1.1</p> <p>Even if they have a process or script, Graduates are aware that some things can be easily overlooked. They take the time to think about what else the parties might need to know. Graduates do this because they are aware that it is easy for people new to the process to have misconceptions about the process or what is required from everyone involved.</p> <p><i>ILLUSTRATION 2.2.1.1</i></p> <p><i>Graduates check that they understand concepts such as confidentiality, authority and voluntariness within the context of the given non-determinative dispute resolution process.</i></p>	<p>ACCREDITED STANDARD 2.2.1.2</p> <p>SEE GRADUATE STANDARD 2.2.1.1</p>	<p>ADVANCED STANDARD 2.2.1.3</p> <p>Advanced mediators combine input from the parties with their experience to identify the information that is critical at a given point in time.</p> <p><i>ILLUSTRATION 2.2.1.3</i></p> <p><i>They are strategic about the information they provide as some parties, especially those who are new to the given dispute resolution process, may be overwhelmed by receiving all the information at once.</i></p>	<p>MASTER STANDARD 2.2.1.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly sense when parties need assistance to understand what to expect from the process and the roles of the people involved. their depth of experience and means that they can tailor their help to accommodate all manner of needs, even those that may not be immediately apparent to practitioners with less experience.</p>
	<b>FOCUS AREA 2.2.2</b>  <b>Identifies and implements adaptations to accommodate diverse needs</b>	<p>GRADUATE STANDARD 2.2.2.1</p> <p>Graduates draw on a standardised or routine set of adaptations to accommodate diverse needs. Any adaptations they make tend to be limited to a defined set of common needs and associated modifications.</p> <p><i>ILLUSTRATION 2.2.2.1</i></p> <p><i>Graduates identify that it is common for some parties to need interpreters and provide the details for a particular interpreter service.</i></p>	<p>ACCREDITED STANDARD 2.2.2.2</p> <p>Even if they have a routine set of adaptations to accommodate diverse needs, Mediators take time to think before making any decisions about how to adapt their practice.</p> <p><i>ILLUSTRATION 2.2.2.2</i></p> <p><i>They might consider a few possible options, including input from the parties, before making an on-balance judgement about what to do in the given dispute resolution context.</i></p>	<p>ADVANCED STANDARD 2.2.2.3</p> <p>Advanced mediators have experience working with diverse people and communities. They draw on these experiences to predict or anticipate potential adaptations that may assist with the given process and maximise parties’ participation.</p> <p><i>ILLUSTRATION 2.2.2.3</i></p> <p><i>The mediator might have lived experience.</i></p>	<p>MASTER STANDARD 2.2.2.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly sense how and when to adapt their practice to accommodate diverse needs. Their depth of experience in this area of diversity means they can pre-empt or mitigate issues that may not be obvious to those with less experience.</p>
	<b>FOCUS AREA 2.2.3</b>  <b>Ensures consent is informed</b>	<p>GRADUATE STANDARD 2.2.3.1</p> <p>Graduates adhere to a standardised process or script to obtain consent from the parties.</p>	<p>ACCREDITED STANDARD 2.2.3.2</p> <p>Even if following a process or script, Mediators consciously think about whether a party is giving informed consent. One reason for this is that they are aware of some of the common misconceptions about mediation or other NDR processes.</p> <p><i>ILLUSTRATION 2.2.3.2</i></p> <p><i>Checking in with parties about any misconceptions is part of their process.</i></p>	<p>ADVANCED STANDARD 2.2.3.3</p> <p>Advanced mediators draw on their experience to identify critical points at which they need to ensure consent is informed.</p> <p><i>ILLUSTRATION 2.2.3.3</i></p> <p><i>Even if they have obtained consent at the outset of the process, they are aware that there may be times during the process when they need to obtain additional consent, reconfirm existing consent or assist parties to obtain further information before continuing.</i></p>	<p>MASTER STANDARD 2.2.3.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly sense when consent may not be informed. Their depth of experience means they can pre-empt or mitigate risks that may not be obvious to those with less experience.</p>
	<b>FOCUS AREA 2.2.4</b>  <b>Assists parties to adopt a resolution mindset</b>	<p>GRADUATE STANDARD 2.2.4.1</p> <p>Even if they are using a process or script, Graduates think about what else parties might need and make minor changes based on parties</p>	<p>ACCREDITED STANDARD 2.2.4.2</p> <p>SEE GRADUATE STANDARD 2.2.4.1</p>	<p>ADVANCED STANDARD 2.2.4.3</p> <p>Advanced mediators combine input from the parties with their experience to identify the areas within which a resolution mindset is</p>	<p>MASTER STANDARD 2.2.4.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly sense the level of assistance parties need to adopt a resolution</p>

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		<p>stated needs, the dispute resolution context, or their understanding of the importance of parties adopting a resolution mindset.</p> <p><i>ILLUSTRATION 2.2.4.1</i></p> <p><i>Graduates might focus on different ways of looking at the conflict or strategies for identifying what is important to each of the parties.</i></p>		<p>critical. They know from experience that if these areas are overlooked, there is a good chance that the given process will be negatively affected.</p> <p><i>ILLUSTRATION 2.2.4.3</i></p> <p><i>They know that they will often need to focus on helping parties develop and implement a negotiation strategy, with well-considered alternatives to a negotiated agreement and multiple options for resolution.</i></p>	<p>mindset that is suited to the dispute resolution context. Their depth of experience means they may see how having the right frame of mind can influence each step of the process. Sometimes this influence manifests in ways that are not obvious to others with less experience.</p>
<b>ATTRIBUTE 2.3</b> <b>Manages the process</b>	<b>FOCUS AREA 2.3.1</b> <b>Facilitates the selected process</b>	<p>GRADUATE STANDARD 2.3.1.1</p> <p>Even if they have a template to follow for the process, Graduates make minor adaptations if required.</p> <p><i>ILLUSTRATION 2.3.1.1</i></p> <p><i>Graduates can switch to shuttle mediation or adjust the agenda outside the agenda-setting stage.</i></p>	<p>ACCREDITED STANDARD 2.3.1.2</p> <p>SEE GRADUATE STANDARD 2.3.1.1</p>	<p>ADVANCED STANDARD 2.3.1.3</p> <p>Advanced mediators see the selected process holistically, which means they stay true to the critical or defining features of the selected process while also adapting to suit the parties or context.</p> <p><i>ILLUSTRATION 2.3.1.3</i></p> <p><i>They might give parties more control or draw from other NDR processes to maximise the potential for resolution.</i></p>	<p>MASTER STANDARD 2.3.1.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly sense when a selected process is likely to maximise the chance for a lasting resolution. Their depth of experience means they incorporate elements of other NDR in ways that may not be obvious to practitioners with less experience.</p> <p><i>ILLUSTRATION 2.3.1.4</i></p> <p><i>They might incorporate elements of transformative mediation while conducting an unfair dismissal conciliation).</i></p>
	<b>FOCUS AREA 2.3.2</b> <b>Manages confidentiality</b>	<p>GRADUATE STANDARD 2.3.2.1</p> <p>Graduates adhere to the confidentiality protocols and scripts set out by their workplace, provided as part of initial training, or described in a text.</p>	<p>ACCREDITED STANDARD 2.3.2.2</p> <p>Even though they follow a set of protocols or scripts to help them manage confidentiality, Mediators are alert to some of the common misconceptions and can make minor adaptations if required.</p> <p><i>ILLUSTRATION 2.3.2.2</i></p> <p><i>They might seek guidance on a complex issue as part of professional supervision even though they told the parties the process was confidential.</i></p>	<p>ADVANCED STANDARD 2.3.2.3</p> <p>Advanced mediators see the process of managing confidentiality holistically, which means, if they have a chance to analyse the situation, they adapt the way they manage confidentiality to match the needs of the NDR context.</p> <p><i>ILLUSTRATION 2.3.2.3</i></p> <p><i>As a hybrid practitioner, they might need to disclose all confidential information received in mediation if it is material to the arbitration, which is very different to the way they manage confidentiality when they are working as a community mediator.</i></p>	NO ADDITIONAL LEVEL
	<b>FOCUS AREA 2.3.3</b> <b>Manages impasse</b>	<p>GRADUATE STANDARD 2.3.3.1</p> <p>Even though they have a script or set of prompts, Graduates attempt minor changes or substitute different strategies if they are not getting anywhere.</p> <p><i>ILLUSTRATION 2.3.3.1</i></p>	<p>ACCREDITED STANDARD 2.3.3.2</p> <p>Mediators draw on their knowledge and experience to identify the salient or critical features at play when parties reach an impasse. This allows them to develop a targeted strategy or set of priorities matched to the parties and the context of the dispute.</p> <p><i>ILLUSTRATION 2.3.3.2</i></p>	<p>ADVANCED STANDARD 2.3.3.3</p> <p>SEE ACCREDITED STANDARD 2.3.3.2</p>	<p>MASTER STANDARD 2.3.3.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly spot potential areas where parties might get stuck or come to an impasse. Their depth of experience means they recognise the signs well before they might become evident to those with less experience.</p>



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		<i>Graduates might ask different questions when reality testing depending on the parties' stated goals.</i>	<i>They might identify that parties are having difficulty navigating unstated or unmet needs in relation to one or more of the Five Core Concerns, including preventing one of the parties from accepting an offer that exceeds their stated position or interests.</i>		
	<b>FOCUS AREA 2.3.4</b> <b>Manages emotions</b>	<p>GRADUATE STANDARD 2.3.4.1</p> <p>Graduates have several strategies for managing emotions. They use their judgment to select the most suitable strategy for the situation.</p> <p><i>ILLUSTRATION 2.3.4.1</i></p> <p><i>If a person is really agitated Graduates might use a high-emotion de-escalation strategy, whereas they might use mirroring for someone whose emotional needs may be met by feeling heard.</i></p>	<p>ACCREDITED STANDARD 2.3.4.2</p> <p>Mediators draw on their knowledge and experience to identify the salient or critical features at play when managing emotions.</p> <p><i>ILLUSTRATION 2.3.4.2</i></p> <p><i>In distinguishing between constructive and destructive manifestations of emotion, they make conscious choices about when to embrace the emotion and when to defuse or redirect parties). They monitor the emotional temperature, including their own emotional state.</i></p>	<p>ADVANCED STANDARD 2.3.4.3</p> <p>SEE ACCREDITED STANDARD 2.3.4.2</p>	<p>MASTER STANDARD 2.3.4.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly attune to the emotional climate and their depth of experience allows them to foresee issues that may not be apparent to practitioners with less experience.</p>
	<b>FOCUS AREA 2.3.5</b> <b>Facilitates the recording of the outcome</b>	<p>GRADUATE STANDARD 2.3.5.1</p> <p>Even though they have been given a protocol to use, Graduates are aware that some common mistakes can occur when outcomes are recorded.</p> <p><i>ILLUSTRATION 2.3.5.1</i></p> <p><i>Even if things are clear at the time, a lack of specificity can create uncertainty and ambiguity down the track.</i></p>	<p>ACCREDITED STANDARD 2.3.5.2</p> <p>Mediators draw on their knowledge and experience to identify the critical elements for facilitating the recording of the outcome. They take a systematic approach to assessing risks.</p> <p><i>ILLUSTRATION 2.3.5.2</i></p> <p><i>The potential that the record of the outcome may be required at a later stage or high stakes setting, striking a balance between conciseness and detail depending on future needs.</i></p>	<p>ADVANCED STANDARD 2.3.5.3</p> <p>SEE ACCREDITED STANDARD 2.3.5.2</p>	<p>MASTER STANDARD 2.3.5.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly sense potential issues when facilitating the recording of an outcome. The depth of their experience means they can foresee consequences in ways not possible for less experienced practitioners.</p>
<b>ATTRIBUTE 2.4</b> <b>Supports parties to participate in the process</b>	<b>FOCUS AREA 2.4.1</b> <b>Assists parties to communicate with each other, exchange information and seek understanding</b>	<p>GRADUATE STANDARD 2.4.1.1</p> <p>Even if they have a communication strategy to follow, Graduates make minor adaptations if required.</p> <p><i>ILLUSTRATION 2.4.1.1</i></p> <p><i>Graduates might talk through ways to frame communication with one of the parties or potential questions they might ask if they need further information from the other party.</i></p>	<p>ACCREDITED STANDARD 2.4.1.2</p> <p>Mediators see the selected process holistically, which means they see the nuances and priorities for assisting parties to communicate in a way that will help them achieve a lasting resolution. They are systematic about assisting parties to develop a communication strategy and draw on their knowledge and experience to achieve their communication goals.</p> <p><i>ILLUSTRATION 2.4.1.2</i></p> <p><i>They might help parties account for varying communication preferences of styles, subtext, their goals and the context of the dispute.</i></p>	<p>ADVANCED STANDARD 2.4.1.3</p> <p>SEE ACCREDITED STANDARD 2.4.1.2</p>	<p>MASTER STANDARD 2.4.1.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly sense the role of communication on the potential for parties to achieve a lasting resolution. Their depth of experience means they see opportunities and barriers that may not be obvious to practitioners with less experience.</p> <p><i>ILLUSTRATION 2.4.1.4</i></p> <p><i>They might recognise something that looks to many as something quite minor, but which may significantly affect the quality of the parties' communication.</i></p>
	<b>FOCUS AREA 2.4.2</b> <b>Assists parties to identify, clarify and</b>	<p>GRADUATE STANDARD 2.4.2.1</p>	<p>ACCREDITED STANDARD 2.4.2.2</p> <p>Mediators take a holistic view when assisting parties to identify, clarify, and explore interests,</p>	<p>ADVANCED STANDARD 2.4.2.3</p> <p>SEE ACCREDITED STANDARD 2.4.2.2</p>	<p>MASTER STANDARD 2.4.2.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly sense the</p>

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	<b>explore interests, issues and underlying needs</b>	<p>Even though they have a protocol or script, Graduates make minor adjustments depending on the situation.</p> <p><i>ILLUSTRATION 2.4.2.1</i></p> <p><i>Graduates may use analogies in some situations or link back to something said previously.</i></p>	<p>issues, and underlying needs. They are systematic and draw on their knowledge and experience to prioritise interests and needs critical to achieving a lasting resolution.</p>		<p>interests, issues, or needs vital to achieving lasting resolution. Their depth of experience means that they recognise when underlying interests, issues or needs have not been adequately identified, clarified or explored. The signs that prompt this may not be discernible to less experienced practitioners.</p>
	<b>FOCUS AREA 2.4.3</b> <b>Assists parties to consider their alternatives</b>	<p>GRADUATE STANDARD 2.4.3.1</p> <p>Even if they have a set of questions that they are expected to ask, Graduates are aware that parties sometimes have misconceptions or unrealistic expectations about their alternatives.</p> <p><i>ILLUSTRATION 2.4.3.1</i></p> <p><i>There are a few areas where this commonly happens, so Graduates watch out for the need to do a bit of reality testing when this occurs-</i></p>	<p>ACCREDITED STANDARD 2.4.3.2</p> <p>Mediators draw on their experience to identify the elements most likely to assist parties to think critically about their alternatives.</p> <p><i>ILLUSTRATION 2.4.3.2</i></p> <p><i>By taking parties through a careful analysis of underlying interests and the risks associated with pursuing any one of the alternatives, the reality of the situation starts to become apparent.</i></p>	<p>ADVANCED STANDARD 2.4.3.3</p> <p>SEE ACCREDITED STANDARD 2.4.3.2</p>	<p>MASTER STANDARD 2.4.3.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly sense the extent to which parties are overconfident or unrealistic about the strength of their alternatives. The depth of their experience means they can sometimes tell what is really driving the parties' considerations, even if it would not be readily apparent to someone with less experience.</p>
	<b>FOCUS AREA 2.4.4</b> <b>Assists parties to generate and evaluate options</b>	<p>GRADUATE STANDARD 2.4.4.1</p> <p>Even if they have a set of questions that they are expected to ask, Graduates are aware that parties sometimes miss obvious options or have unrealistic expectations.</p> <p><i>ILLUSTRATION 2.4.4.1</i></p> <p><i>There are a few areas where this commonly happens, so Graduates watch out for the need to do a bit of reality testing when this occurs.</i></p>	<p>ACCREDITED STANDARD 2.4.4.2</p> <p>Mediators draw on their experience to identify the elements most likely to assist parties to think critically when generating or evaluating options.</p> <p><i>ILLUSTRATION 2.4.4.2</i></p> <p>By taking parties through a careful analysis of underlying interests and the risks associated with pursuing any one of the options, the reality of the situation starts to become apparent.</p>	<p>ADVANCED STANDARD 2.4.4.3</p> <p>SEE ACCREDITED STANDARD 2.4.4.2</p>	<p>MASTER STANDARD 2.4.4.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly sense the extent to which parties are overconfident or unrealistic about their options. The depth of their experience means they recognise the nuances that may not be discernible to practitioners with less experience.</p> <p><i>ILLUSTRATION 2.4.4.4</i></p> <p><i>They anticipate when parties are at risk of allowing unconscious factors to drive their evaluations.</i></p>
	<b>FOCUS AREA 2.4.5</b> <b>Assists parties to negotiate with each other</b>	<p>GRADUATE STANDARD 2.4.5.1</p> <p>Even if they have an established protocol, Graduates can make minor adjustments.</p> <p><i>ILLUSTRATION 2.4.5.1</i></p> <p><i>Sometimes parties may want to just focus on the money, so Graduates don't always insist they go through the seven elements of principled negotiation-</i></p>	<p>ACCREDITED STANDARD 2.4.5.2</p> <p>Mediators draw on their knowledge and experience with various negotiation techniques to assist parties in developing and implementing a holistic negotiation strategy.</p> <p><i>ILLUSTRATION 2.4.5.2</i></p> <p><i>They might help parties think critically to mix and match negotiation styles depending on the stage or goals.</i></p>	<p>ADVANCED STANDARD 2.4.5.3</p> <p>SEE ACCREDITED STANDARD 2.4.5.2</p>	<p>MASTER STANDARD 2.4.5.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly sense the extent to which parties have what it takes to negotiate a great outcome. The depth of their experience means they anticipate what parties need and prevent issues that may not be obvious to a less experienced practitioner.</p> <p><i>ILLUSTRATION 2.4.5.4</i></p> <p><i>They can assist parties to reorient negotiations that have taken a wrong turn following the well-intentioned use of a mismatched negotiation strategy.</i></p>
<b>ATTRIBUTE 2.5</b>	<b>FOCUS AREA 2.5.1</b>	GRADUATE STANDARD 2.5.1.1	ACCREDITED STANDARD 2.5.1.2	<p>ADVANCED STANDARD 2.5.1.3</p> <p>SEE ACCREDITED STANDARD 2.5.1.2</p>	<p>MASTER STANDARD 2.5.1.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly sense issues</p>

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<b>Manages risks to even-handedness, safety or misuse of the process</b>	<b>Ensures an even-handed process</b>	<p>Even if they have a routine or set of protocols, Graduates are aware that some things can pose a risk to even-handedness.</p>	<p>Mediators draw on their experience to identify the presence of critical features which indicate a potential risk to even-handedness.</p> <p><i>ILLUSTRATION 2.5.1.2</i></p> <p><i>They are conscious that the perception of even-handedness is just as important as actual even-handedness, so Mediators work with parties to explain why they might need to customise or adapt some aspects of their practice to meet everyone’s needs.</i></p>		<p>associated with bias or other aspects of even-handedness. This means they can tell when risks are present, even if it is not immediately apparent to colleagues with less experience.</p> <p><i>ILLUSTRATION 2.5.1.4</i></p> <p><i>Their depth of experience prompts vigilance of the effects of unconscious bias.</i></p>
	<b>FOCUS AREA 2.5.2</b> <b>Manages power imbalance</b>	<p>GRADUATE STANDARD 2.5.2.1</p> <p>Even if they have a number of strategies for identifying and managing power imbalance, Graduates remain aware of the ongoing risk.</p>	<p>ACCREDITED STANDARD 2.5.2.2</p> <p>Mediators draw on their experience to anticipate potential power imbalances and design a strategy to manage them. Because they take a holistic perspective and have identified the salient features, they see the likely flow-on effects if power imbalances are left unchecked.</p> <p><i>ILLUSTRATION 2.5.2.2</i></p> <p><i>They adapt the process to reduce follow-on risks to safety or fairness.</i></p>	<p>ADVANCED STANDARD 2.5.2.3</p> <p>SEE ACCREDITED STANDARD 2.5.2.2</p>	<p>MASTER STANDARD 2.5.2.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly sense when power imbalance is going to be a factor in resolving the dispute.</p> <p><i>ILLUSTRATION 2.5.2.4</i></p> <p><i>Their depth of experience has taught them that power is not always as it appears.</i></p>
	<b>FOCUS AREA 2.5.3</b> <b>Assists parties to contemplate the needs of vulnerable stakeholders</b>	<p>GRADUATE STANDARD 2.5.3.1</p> <p>Even if they have a number of strategies for assisting parties to contemplate the needs of vulnerable stakeholders, Graduates can accommodate some minor variations if required.</p>	<p>ACCREDITED STANDARD 2.5.3.2</p> <p>Mediators draw on their experience to anticipate the needs of vulnerable stakeholders. By taking a holistic perspective, they prompt parties to think critically about the needs of vulnerable stakeholders.</p>	<p>ADVANCED STANDARD 2.5.3.3</p> <p>SEE ACCREDITED STANDARD 2.5.3.2</p>	<p>MASTER STANDARD 2.5.3.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly sense when the needs of vulnerable stakeholders will be an important consideration for achieving a lasting resolution. Sometimes this means that they will see things in ways not possible for those with less experience.</p>
	<b>FOCUS AREA 2.5.4</b> <b>Manages safety of participants or vulnerable stakeholders</b>	<p>GRADUATE STANDARD 2.5.4.1</p> <p>Even if they have a number of strategies for identifying and managing safety, Graduates remain aware of the ongoing risk.</p>	<p>ACCREDITED STANDARD 2.5.4.2</p> <p>Mediators draw on their experience to anticipate risks to safety and design a strategy to mitigate these risks. Because they take a holistic perspective, they account for the safety of the parties, as well as any vulnerable stakeholders who may not be present.</p>	<p>ADVANCED STANDARD 2.5.4.3</p> <p>SEE ACCREDITED STANDARD 2.5.4.2</p>	<p>MASTER STANDARD 2.5.4.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly foresee risks to safety and the role they play in resolving the dispute. Sometimes this means that I will see things that may not be obvious to those with less experience.</p>
	<b>FOCUS AREA 2.5.5</b> <b>Navigates misuse or abuse of process, including participating in bad faith</b>	<p>GRADUATE STANDARD 2.5.5.1</p> <p>Even though they have a checklist they can work from, Graduates consider behaviours not on their list.</p>	<p>ACCREDITED STANDARD 2.5.5.2</p> <p>Mediators take a holistic view of bad faith and misuse/abuse of the process. This helps them identify the critical elements for a given dispute resolution context.</p> <p><i>ILLUSTRATION 2.5.5.2</i></p> <p><i>If they don’t take factors such as the dispute resolution context into account, they may misinterpret the severity of the behaviour and fail to respond proportionately.</i></p>	<p>ADVANCED STANDARD 2.5.5.3</p> <p>SEE ACCREDITED STANDARD 2.5.5.2</p>	<p>MASTER STANDARD 2.5.5.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly attune to misuse/abuse of the process or bad faith. Their depth of experience allows them to recognise some of the subtle nuances that may not be apparent to practitioners with less experience.</p>

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<b>ATTRIBUTE 2.6</b>  <b>Meets their ethical, professional, and legal obligations as an accredited mediator</b>	<b>FOCUS AREA 2.6.1</b>  <b>Meets their ethical obligations as an accredited mediator</b>	<b>GRADUATE STANDARD 2.6.1.1</b>  Graduates adhere to the guidelines or template provided to them by their workplace, training provider or RAP (RMAB).	<b>ACCREDITED STANDARD 2.6.1.2</b>  Mediators draw on their experience to identify the guiding principles which underpin these ethical obligations. In taking a holistic perspective, they adapt to ensure their approach is ethical even if the situation is novel, conflicted or ambiguous.  <i>ILLUSTRATION 2.6.1.2</i>  <i>Guiding principles include the requirement to provide accessible and inclusive services, promote self-determination and informed decision-making, commit to ensuring even-handedness, safety and preventing misuse of the process, and the declaration of interests, etc.</i>	<b>ADVANCED STANDARD 2.6.1.3</b>  SEE ACCREDITED STANDARD 2.6.1.2	<b>MASTER STANDARD 2.6.1.4</b>  Master mediators are thought leaders or innovators in this area. They quickly sense risks connected to their ethical obligations as an accredited mediator. Their depth of experience means they can pre-empt or mitigate risks that may not be obvious to those with less experience.
	<b>FOCUS AREA 2.6.2</b>  <b>Meets their professional obligations as an accredited mediator</b>	<b>GRADUATE STANDARD 2.6.2.1</b>  Graduates adhere to the guidelines or template provided to them by their workplace, training provider or RAP (RMAB).	<b>ACCREDITED STANDARD 2.6.2.2</b>  Mediators draw on their experience to identify the guiding principles which underpin these professional expectations. In taking a holistic perspective, they adapt to ensure their approach is professional even if the situation is novel, conflicted or otherwise challenging.	<b>ADVANCED STANDARD 2.6.2.3</b>  SEE ACCREDITED STANDARD 2.6.2.2	<b>MASTER STANDARD 2.6.2.4</b>  Master mediators are thought leaders or innovators in this area. They quickly sense risks connected to their professional obligations as an accredited mediator. Their depth of experience means they can pre-empt or mitigate risks that may not be obvious to those with less experience.
	<b>FOCUS AREA 2.6.3</b>  <b>Meets their legal obligations as an accredited mediator</b>	<b>GRADUATE STANDARD 2.6.3.1</b>  Graduates adhere to the guidelines or template provided to them by their workplace, training provider or RAP (RMAB).	<b>ACCREDITED STANDARD 2.6.3.2</b>  Even if they have a set of guidelines, Mediators know that there are a number of legal obligations to account for.  <i>ILLUSTRATION 2.6.3.2</i>  <i>These may include various state- based Civil Procedure Acts, the Uniform Evidence Acts, 'Without prejudice' privilege, etc.</i>	<b>ADVANCED STANDARD 2.6.3.3</b>  Advanced mediators draw on their experience to identify the guiding principles which underpin these legal obligations. In taking a holistic perspective, they adapt to ensure their approach is legal even if the situation is novel, untested or complex.	<b>MASTER STANDARD 2.6.3.4</b>  Master mediators are thought leaders or innovators in this area. They quickly anticipate legal risks associated with their obligations as an accredited mediator. Their depth of experience means they can pre-empt or mitigate risks that may not be obvious to those with less experience.
<b>ATTRIBUTE 2.7</b>  <b>Provides information, guidance or advice as appropriate to the process</b>  Note: Arranged from least complex to most complex	<b>FOCUS AREA 2.7.1</b>  <b>Provides information, guidance, or advice on procedural matters, including the process if no agreement is reached</b>	<b>GRADUATE STANDARD 2.7.1.1</b>  Even if they have scripts, Graduates make small changes to my 'procedural' information, guidance, or advice.  <i>ILLUSTRATION 2.7.1.1</i>  <i>Graduates might refer back to a party's stated goals, provide additional detail, or clarify common 'procedural' misconceptions if they arise.</i>	<b>ACCREDITED STANDARD 2.7.1.2</b>  Mediators draw on their experience to identify critical points at which parties may benefit from 'procedural' information, guidance or advice.  <i>ILLUSTRATION 2.7.1.2</i>  <i>In consultation with the parties, Mediators establish their appetite for 'procedural' information, guidance or advice and, if required, establish permission to be frank if the 'procedural' information, guidance or advice is unfavourable.</i>	<b>ADVANCED STANDARD 2.7.1.3</b>  SEE ACCREDITED STANDARD 2.7.1.2	<b>MASTER STANDARD 2.7.1.4</b>  Master mediators are thought leaders or innovators in this area. They quickly sense when parties might benefit from 'procedural' information, guidance or advice. Their depth of experience means they can pre-empt or foresee gaps or errors, the consequences of which may not be obvious to those with less experience.
	<b>FOCUS AREA 2.7.2</b>	<b>GRADUATE STANDARD 2.7.2.1</b>	<b>ACCREDITED STANDARD 2.7.2.2</b>	<b>ADVANCED STANDARD 2.7.2.3</b>	<b>MASTER STANDARD 2.7.2.4</b>



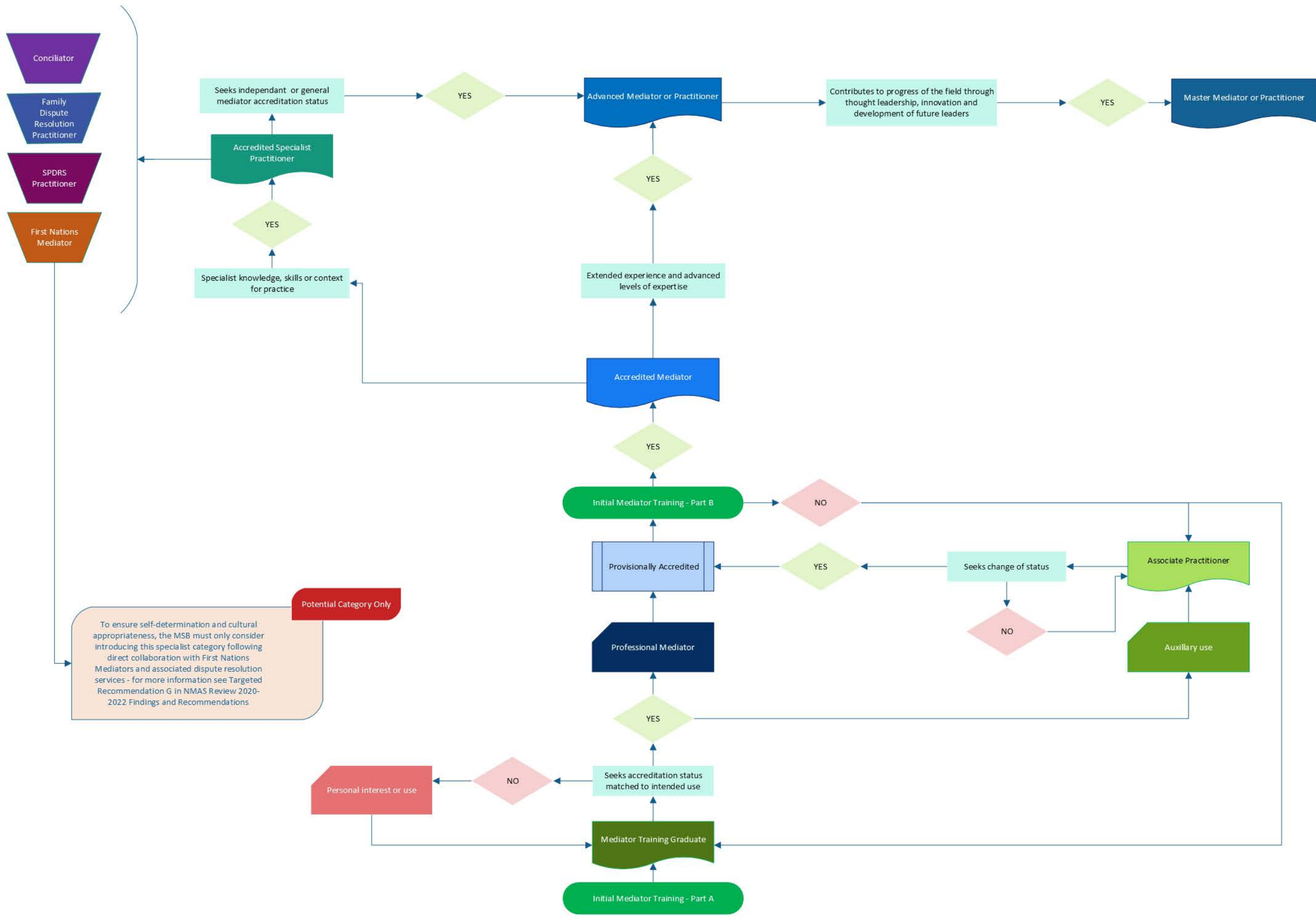
## APPENDIX 5 – PROFESSIONAL PRACTICE STANDARDS

	<p><b>Provides information, guidance or advice about options for resolution</b></p>	<p>Even if they have scripts, Graduates make small changes to their ‘options’ information, guidance, or advice.</p> <p><i>ILLUSTRATION 2.7.2.1</i></p> <p><i>Graduates might refer back to something previously said, ask probing questions designed to elicit particular options or clarify common misconceptions about certain options.</i></p>	<p>Mediators draw on their experience to identify critical points at which parties may benefit from ‘options’ information, guidance or advice.</p> <p><i>ILLUSTRATION 2.7.2.2</i></p> <p><i>In consultation with the parties, Mediators establish their appetite for ‘options’ information, guidance or advice and, if required, establish permission to be frank if the ‘options’ information, guidance or advice is unfavourable.</i></p>	<p>SEE ACCREDITED STANDARD <b>2.7.2.2</b></p>	<p>Master mediators are thought leaders or innovators in this area. They quickly sense when parties might benefit from ‘options’ information, guidance or advice. Their depth of experience means they can pre-empt or foresee gaps or errors, the consequences of which may not be obvious to those with less experience.</p>
	<p><b>FOCUS AREA 2.7.3</b></p> <p><b>Provides information, guidance or advice on substantive matters</b></p>	<p>GRADUATE STANDARD <b>2.7.3.1</b></p> <p>Graduates adhere to scripts when providing ‘substance’ information, guidance, or advice.</p> <p><i>ILLUSTRATION 2.7.2.1</i></p> <p><i>The scripts provided to them by their workplace.</i></p>	<p>ACCREDITED STANDARD <b>2.7.3.2</b></p> <p>Even if they have scripts, Mediators make small changes to their ‘substance’ information, guidance, or advice.</p> <p><i>ILLUSTRATION 2.7.3.2</i></p> <p><i>They might refer back to something previously said, provide additional detail, or clarify common ‘substance’ misconceptions if they arise.</i></p>	<p>ADVANCED STANDARD <b>2.7.3.3</b></p> <p>Advanced mediators draw on their experience to identify critical points at which parties may benefit from ‘substance’ information, guidance or advice.</p> <p><i>ILLUSTRATION 2.7.3.3</i></p> <p><i>In consultation with the parties, they establish their appetite for ‘substance’ information, guidance or advice and, if required, establish permission to be frank if the ‘substance’ information, guidance or advice is unfavourable.</i></p>	<p>MASTER STANDARD <b>2.7.3.4</b></p> <p>Master mediators are thought leaders or innovators in this area. They quickly sense when parties might benefit from ‘substance’ information, guidance or advice. Their depth of experience means they can pre-empt or foresee gaps or errors, the consequences of which may not be obvious to those with less experience.</p>
	<p><b>FOCUS AREA 2.7.4</b></p> <p><b>Provides information, guidance or advice on the associated regulatory framework, law or code</b></p>	<p>GRADUATE STANDARD 2.7.4.1</p> <p>Graduates adhere to scripts when providing ‘regulatory’ information, guidance, or advice.</p> <p><i>ILLUSTRATION 2.7.4.1</i></p> <p><i>The scripts provided to them by their workplace.</i></p>	<p>ACCREDITED STANDARD 2.7.4.2</p> <p>Even if they have scripts, Mediators make small changes to their ‘regulatory’ information, guidance, or advice.</p> <p><i>ILLUSTRATION 2.7.4.2</i></p> <p><i>They might provide additional detail or clarify common misconceptions about the ‘regulatory’ aspects of mediation or given form of NDR.</i></p>	<p>ADVANCED STANDARD 2.7.4.4</p> <p>Advanced mediators draw on their experience to identify critical points at which parties may benefit from ‘regulatory’ information, guidance or advice.</p> <p><i>ILLUSTRATION 2.7.4.4</i></p> <p><i>In consultation with the parties, they establish their appetite for ‘regulatory’ information, guidance or advice and, if required, establish permission to be frank if the ‘regulatory’ information, guidance or advice is unfavourable.</i></p>	<p>MASTER STANDARD 2.7.4.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly sense when parties might benefit from ‘regulatory’ information, guidance or advice. Their depth of experience means they can pre-empt or foresee gaps or errors, the consequences of which may not be obvious to those with less experience.</p>
	<p><b>FOCUS AREA 2.7.5</b></p> <p><b>Provides information, guidance or advice about outcomes observed in similar claims or cases</b></p>	<p>GRADUATE STANDARD 2.7.5.1</p> <p>Graduates adhere to scripts when providing ‘outcomes’ information, guidance, or advice.</p> <p><i>ILLUSTRATION 2.7.5.1</i></p> <p><i>Modelled to them by another practitioner or scripts provided by their panel administrator.</i></p>	<p>ACCREDITED STANDARD 2.7.5.2</p> <p>Even if they have scripts, Mediators make small changes to their ‘outcomes’ information, guidance, or advice.</p> <p><i>ILLUSTRATION 2.7.5.2</i></p> <p><i>They might distinguish theoretical and statistically likely outcomes or clarify common ‘outcomes’ misconceptions if they arise.</i></p>	<p>ADVANCED STANDARD 2.7.5.4</p> <p>Advanced mediators draw on their experience to identify critical points at which parties may benefit from ‘outcomes’ information, guidance or advice.</p> <p><i>ILLUSTRATION 2.7.5.4</i></p> <p><i>In consultation with the parties, they establish their appetite for ‘outcomes’ information, guidance or advice and, if required, establish permission to be frank if the ‘outcomes’ information, guidance or advice is unfavourable.</i></p>	<p>MASTER STANDARD 2.7.5.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly sense when parties might benefit from ‘outcomes’ information, guidance or advice. Their depth of experience means they can pre-empt or foresee gaps or errors, the consequences of which may not be obvious to those with less experience.</p>
	<p><b>FOCUS AREA 2.7.6</b></p>	<p>GRADUATE STANDARD 2.7.6.1</p>	<p>ACCREDITED STANDARD 2.7.6.2</p>	<p>ADVANCED STANDARD 2.7.6.4</p>	<p>MASTER STANDARD 2.7.6.4</p>

## APPENDIX 5 – PROFESSIONAL PRACTICE STANDARDS

	<p><b>Provides information, guidance or advice about the merits of a claim or case</b></p>	<p>Graduates adhere to scripts when providing ‘merits’ information, guidance, or advice.</p> <p><i>ILLUSTRATION 2.7.6.1</i></p> <p><i>The scripts provided to them by their workplace.</i></p>	<p>Even if they have scripts, Mediators make small changes to their ‘merits’ information, guidance, or advice.</p> <p><i>ILLUSTRATION 2.7.6.2</i></p> <p><i>They might provide additional detail on common mistakes that parties make when trying to assess the strengths and weaknesses of their claim or clarify other common ‘merits’ misconceptions if they arise.</i></p>	<p>Advanced mediators draw on their experience to identify critical points at which parties may benefit from ‘merits’ information, guidance or advice.</p> <p><i>ILLUSTRATION 2.7.6.4</i></p> <p><i>In consultation with the parties, they establish their appetite for ‘merits’ information, guidance or advice and, if required, establish permission to be frank if the ‘merits’ information, guidance or advice is unfavourable.</i></p>	<p>Master mediators are thought leaders or innovators in this area. They quickly sense when parties might benefit from ‘merits’ information, guidance or advice. Their depth of experience means they can pre-empt or foresee gaps or errors, the consequences of which may not be obvious to those with less experience.</p>
	<p><b>FOCUS AREA 2.7.7</b></p> <p><b>Provides information, guidance or advice on the cultural, psychological or social context</b></p>	<p>GRADUATE STANDARD 2.7.7.1</p> <p>Graduates adhere to norms or scripts when providing 'socio-cultural or psychological' information, guidance, or advice.</p> <p><i>ILLUSTRATION 2.7.7.1</i></p> <p><i>Words or phrases passed down to them through the social or cultural group or scripts provided by their workplace.</i></p>	<p>ACCREDITED STANDARD 2.7.7.2</p> <p>Even if they have norms or scripts, Mediators make small changes to their 'socio-cultural or psychological' information, guidance, or advice.</p> <p><i>ILLUSTRATION 2.7.7.2</i></p> <p><i>They might provide additional detail to ensure everyone is fully informed or clarify common ‘socio-cultural or psychological’ misconceptions if they arise.</i></p>	<p>ADVANCED STANDARD 2.7.7.4</p> <p>Advanced mediators draw on their experience to identify critical points at which parties may benefit from 'socio-cultural or psychological' information, guidance or advice.</p> <p><i>ILLUSTRATION 2.7.7.4</i></p> <p><i>In consultation with the parties, they establish their appetite for ‘socio-cultural or psychological’ information, guidance or advice and, if required, establish permission to be frank if the ‘socio-cultural or psychological’ information, guidance or advice is unfavourable.</i></p>	<p>MASTER STANDARD 2.7.7.4</p> <p>Master mediators are thought leaders or innovators in this area. They quickly sense when parties might benefit from 'socio-cultural or psychological' information, guidance or advice. Their depth of experience means they can pre-empt or foresee gaps or errors, the consequences of which may not be obvious to those with less experience.</p>

COMMENTS





# REFERENCE LIST

## NMAS REVIEW 2020-22

### Website

- ✓ [www.nmasreview.com.au](http://www.nmasreview.com.au)

### Suggested Reading

- ✓ The Draft Code - NMAS Review 2020-22 - Appendix 2 Training and Accreditation Framework
  - See attachment
  - The Training and Accreditation Framework (TAF) reorganises the NMAS' Approval and Practice Standards. It also aligns mediator training with the Australian Qualifications Framework, identifies common attributes for trainees, mediators and specialist practitioners, and articulates requirements for recognising the differences between them according to their level of experience, area of expertise or context within which they operate. The framework incorporates the changes and modifications identified via consultation and new ideas arising from the analysis of the reported practices from over 700 mediators or specialist practitioners. The new structure is designed to strike a balance between recognising practitioner autonomy, specialisation and the evolution of practice and the need for the industry (or profession) to offer the assurance of quality, consistency and public protection.
- ✓ The Draft Code - NMAS Review 2020-22 - Appendix 5 Professional Practice Standards
  - See attachment
  - The Professional Practice Standards describe the quality of practice expected of accredited practitioners across the four Professional Practice Domains: Professional Knowledge, Professional Skills, Professional Ethics and Responsibilities and Professional Development. Specifically, they articulate the extent to which such expectations might vary depending on the practitioner's level of experience, area of specialisation or context within which they operate. In doing so, they acknowledge that practice does not remain static and evolves over time and in response to the environment in which it is embedded. The Professional Practice Standards Attached

### Optional Reading

- ✓ 2025 Overview of Australia - NMAS Review 2020-22 V1
  - See attachment
  - Slides containing information and graphs on the NMAS Review, including:
    - Australian context
    - Purpose and scope
    - Consultation process
    - Developing standards by harnessing professional expertise
    - Developing standards by introducing big data
    - Training and accreditation framework
    - Tiered accreditation model



- ✓ [NMAS Review 2020-22 Findings and Recommendations.pdf](#)
  - The Findings and recommendations set out the three (3) overarching recommendations and ten (10) targeted recommendations to the Mediator Standards Board (MSB) arising out of the extended consultation, research and data analysis processes. They addressed the following topics:
    - Mediation as a profession
    - Trusted brand vs shared understanding
    - Scope and elements for a new framework – proposed model ‘The Draft Code’
    - Limits of the existing framework, particularly the evolution of practice
    - Potential inclusion of conciliation, family dispute resolution, First Peoples’ processes and/or non-facilitative models
    - Complaints handling
    - Diversity and inclusion
    - Broader context – international trends such as the Singapore Convention
- ✓ [The Draft Code - NMAS Review 2020-22.pdf](#)
  - The Draft Code contains all of the proposed revisions to the NMAS and commentary coming out of the NMAS Review, including an expanded training and accreditation framework, revised professional practice standards, as well as guidance on the administration of the Code and complaints handling.
- ✓ [Mediator Standards Board - A history of the development of the standards.pdf](#)
- ✓ [Situating the Current NMAS Within the Broader Dispute Resolution Field: An International Comparative Analysis NMAS Review 2020-21.pdf](#)
- ✓ [Specialist Provider Dispute Resolution Services \(SPDRS\) new membership classification – NMAS Review 2020-22.pptx](#)
  - A recommendation for a new type of membership to enable specialist providers of dispute resolution services (SPDRS) to align themselves with the accreditation, training and professional practice standards set out in the Draft Code
- ✓ [NMAS Review 2020-22 Workshop Materials](#)
  - Pre-Workshop Preparation Materials

## Further Information

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