

Nationally Accredited Mediator Training Program & Assessment

Program Manual

Level 4, 570 George Street
Sydney NSW 2000

Introduction

This Manual together with the online enrolment form and the [Terms and Conditions](#), form an agreement between the College of Law ('College') and you in the Nationally Accredited Mediator Training Program and the National Mediation Assessment.

Australian Mediator and Dispute Resolution Accreditation System

To become an accredited mediator in Australia a person must complete a Nationally Accredited Mediator Training Program and a National Mediation Assessment.

A Nationally Accredited Mediator Training Program or an approved equivalent course, under AMDRAS standards, must be completed within 12 months prior to the date of enrolment in the National Mediation Assessment.

Upon the successful completion of a Nationally Accredited Mediator Training Program and National Mediation Assessment, an applicant seeking accreditation as an accredited mediator must apply to a Recognised Accreditation Provider (RAP) for accreditation. Once the application has been lodged with an RAP and approved, the applicant's name is entered on the National Register of Accredited Mediators.

For more information about becoming an accredited AMDRAS mediator, please see Annexure A – AMDRAS Accreditation.

Program Structure

The College is an accredited provider of the Nationally Accredited Mediator Training Program ('Training Program') and the National Mediation Assessment ('Assessment'). The Training Program and Assessment is compliant with the current Australian Mediator and Dispute Resolution Accreditation System (AMDRAS).

Nationally Accredited Mediator Training Program

To satisfy the AMDRAS requirements, a Nationally Accredited Mediator Training Program must be a minimum of 45 hours in duration. The College's Training Program comprises a five-day intensive workshop and a postworkshop webinar, all conducted online. Participants in the Training Program are required to complete online interactive activities prior to the workshop commencing and then complete written activities after the post workshop webinar. The College estimates that the online preparatory work takes approximately four to six (4 to 6) hours to complete.

The Training Program can be undertaken on its own, or in conjunction with the National Mediation Assessment. As stated above, to become a Nationally Accredited Mediator under the AMDRAS standards, a person is required to complete the National Mediation Assessment (within 12 months of completing the Nationally Accredited Mediator Training Program) before applying to a RAP for accreditation. The College strongly advises that the Assessment is completed within three (3) months of completing the Training Program.

The post-graduate subject *DRP4 -Mediation* offered by the College is equivalent to the Training Program. Accordingly, if you have already completed *DRP4-Mediation* as part of the Postgraduate Specialisation within the College of Law, you may apply for advanced standing

with respect to the Training Program. If you are granted advanced standing, you may be permitted to sit the Assessment.

Voluntary Role Play Practice Group before the National Mediation Assessment

The College establishes a 'voluntary role play practice group' ('group') during each Training Program to enable you to practice the skills you have learnt with other participants in preparation for the Assessment.

If you would like to join the group, you must provide consent for your contact details (email address) to be shared with other participants. An announcement regarding the group is posted on the College's Learning Portal and an email is sent to all participants during the Training Program. Responses are collated, and a contact list is distributed to those who wish to be included.

Your contact details are managed in accordance with the College's [Privacy Policy](#).

National Mediation Assessment

The National Mediation Assessment comprises two components.

The first component is a one-and-a-half-day program which reviews mediation theory and models for a half-day, followed by a full day of 'role-play' assessment. The 'role-play' assessment encompasses a two-hour mediation simulation which covers all stages of the mediation process (from a mediator's opening statement through to conclusion (agreement or next steps) and a demonstration of the required skills, the interventions, and mediational attitude in the conduct of a facilitative mediation. The role play assessment examines your ability to mediate a common dispute. Your performance is evaluated by an assessor against the AMDRAS competencies. The assessment criteria reflects the [AMDRAS Approval Standards](#) (see Appendix 1, paragraphs 15-29). A copy of the AMDRAS Approval Standards is located on the AMDRAS Board website, [here](#). This component is conducted live online via Zoom video conferencing and the session will be recorded.

The second component is a written assessment reflecting on the mediation simulation you conducted and the application of mediation theory. The written assessment additionally tests your understanding of the material covered in the Training Program. It comprises a short answer paper of 1,200 words in length. Any recognised form of referencing is acceptable but needs to be noted in the paper in accordance with the College's Academic Conduct Policy, discussed below.

You will be required to submit and upload your written assessment to the College's Learning Portal no later than ten (10) days after the date of your 'role-play' assessment.

Prerequisite for the National Mediation Assessment

For applicants undertaking the National Mediation Assessment only, evidence of successful completion (a Certificate of Training) of a Nationally Accredited Mediator Training Program with another AMDRAS training organisation must be provided before your enrolment will be approved.

Online Learning Components

Access to all Training Program and Assessment materials is available via the College's Learning Portal. Participants are given access to the Learning Portal one week prior to the start date of the offering. Access to the Learning Portal expires three (3) months after the end date of the offering.

The College reserves the right to remove a participant's access to the Learning Portal at any time if they do not comply with the timeframes specified for the submission or resubmission of work or otherwise do not comply with the reasonable directions of the Course Facilitator.

Attendance and participation

Attendance and participation in the Training Program and Assessment is mandatory. Participants are required to complete all activities in the Training Program and Assessment within the specified timeframes.

You are required to participate in the live-streamed presentations with your camera turned on (pointed at your face) and to pay attention. You are required to be seated at a table or desk, directly in front of your camera and not on the other side of the room. You are not to be in transit. You should use a desktop or laptop computer. iPhones, iPads or similar devices are not permitted for the camera feed. Lastly, you are not permitted to conduct phone calls and other business while attending the workshop, postworkshop webinar or assessment sessions.

During the Training Program workshop, you are required to participate in at least nine (9) simulated role-play mediations and perform the role of a mediator in at least three (3) of those simulated mediations. If you miss any role-play session within the workshop during the Training Program, you will not satisfactorily complete the Training Program. You may apply to the Senior Practice Leader to make up the role play session on a later date, if you are unable to participate on the stipulated date as required.

If you miss the postworkshop webinar you will not satisfactorily complete the Training Program. You may apply to the Senior Practice Leader to make up the postworkshop webinar on a later date, if you are unable to participate on the stipulated date.

If you miss any session of the Assessment, you will be required to transfer to the next available Assessment and fees will apply. Make-up sessions will not be granted in relation to the Assessment.

If you are unable to participate in any part of the workshop, postworkshop webinar or assessment sessions for any reason, please notify the Customer and Student Engagement Team at cpd@collaw.edu.au or on 02 9965 7111 as soon as possible.

Satisfactory Completion

Nationally Accredited Mediator Training Program

As stated above, you must complete the interactive online activities before being permitted to attend the workshop in the Training Program. The estimated completion time is 4-6 hours. The interactive online activities comprise as follows:

- A recorded webinar.

- A reflective paper on mediator qualities to be completed online.
- A case study on ethical dilemmas and short questions that must be answered.
- Pre workshop readings.

If you do not demonstrate the required standard of competence in relation to the interactive online activities, you will be required to resubmit your answer(s).

During the workshop, you will receive feedback at the end of each role-play day from your allocated coaches.

All Training Program requirements will be marked as 'competent' or 'not competent'.

If you successfully complete the Training Program you will be provided with a *Certificate of Completion* within 2-3 weeks.

If you are found 'not competent' of any written material, you can resubmit you answer and/or redo the activity until competency is achieved.

Any outstanding requirements must be completed within three (3) months of the last day of the workshop. If you do not complete the outstanding requirements within three (3) months, you may be required to pay an additional administration fee of \$250.00. If you have not completed the outstanding requirements within twelve (12) months of the last day of the workshop, you will be required to re-enrol in the Training Program and pay the full course fee.

If you fail to meet the Training Program requirements, you will receive an 'incomplete' status.

You will be notified of your results via the College's Learning Portal within 3-5 business days following the completion of the workshop and required written activities.

National Mediation Assessment

If you do not achieve a competent grading against the AMDRAS approval standards in the Assessment, you may:

Option 1: Request a review of your result within Seven (7) days of receiving notification of your unsuccessful result. Please refer to the section below, 'Review Process for National Mediation Assessment (Unsuccessful Candidates Only)' for further information about requesting a review.

Option 2: Enrol to re-sit the Assessment. If you choose to re-sit the Assessment with the College, you are required to pay 80% of the course enrolment fee. Please contact our Customer and Student Engagement Team on 02 9965 7111 or cpd@collaw.edu.au to arrange enrolment at this reduced cost.

If you elect to re-sit the Assessment, you will be offered an additional coaching session of up to two (2) hours with the Senior Practice Leader, at no additional cost and at a mutually suitable time. Please ensure that you give at least two (2) weeks' notice of your re-sit date when requesting to schedule the coaching session.

If you fail to achieve a competent grading in the Assessment on two (2) previous occasions and wish to sit for the Assessment a third time, you must:

1. Undertake additional coaching with the Senior Practice Leader.
2. Carefully consider the feedback and recommendations provided by the Senior Practice Leader in deciding whether to proceed with the third attempt at sitting the Assessment.

The College of Law reserves the right to refuse enrolment in the Assessment to any candidate who in the opinion of the Senior Practice Leader has no reasonable prospects of achieving a satisfactory grade.

Review Process for National Mediation Assessment (Unsuccessful Candidates Only)

If after carefully considering the feedback provided, you think that a mistake was made in relation to your Assessment result or that some other factor was not appropriately considered which unfairly affected your Assessment result, you may ask for your Assessment to be reviewed.

Any such request should be made in writing to cpd@collaw.edu.au within seven (7) days of receiving notification of your result. If you have any comments or submissions in relation to the feedback or any other matter of relevance about your result, you should provide a concise written summary of these points within a further seven (7) days, to the same email address.

Following the receipt of a request for a review, the Senior Practice Leader will:

- a) Review your assessment recording, feedback and grading.
- b) Consult with the assessor regarding the feedback and grading.
- c) Consult with the facilitator of your assessment and training courses.
- d) Review your written correspondence following the assessment, including any written submissions.
- e) May request that you attend a Zoom meeting, if the Senior Practice Leader has further questions or matters, they wish to clarify with you.

Following this process, the Senior Practice Leader will make a determination as to whether your result should be confirmed or overturned. The outcome of the determination will be communicated to you by email. If your unsuccessful result is overturned, you will be issued with a *Certificate of Completion*. If your unsuccessful result is confirmed, you may enrol to re-sit the assessment as outlined above.

If you are dissatisfied with the determination of the Senior Practice Leader you may appeal the decision in accordance with the College of Law's overarching [Postgraduate Program Assessment Rules](#), (see sections 6.1-10.5.)

The College of Law reserves the right to make any adjustments to the review process as required from time to time.

Results

Results for the Assessment are typically emailed ten (10) days after the due date of the written assessment. You will be provided with an Assessment Feedback Form that is completed by your allocated assessor. The results for the Assessment will be released via the College's Learning Portal.

A *Certificate of Assessment* is provided to successful candidates within 2-3 weeks after completion of the Assessment.

Course withdrawal or transfer

If you request a transfer between intakes of the Training Program or between intakes of the Assessment you may be required to pay a fee in accordance with our standard [Terms and Conditions](#) that you accepted at the time of enrolment.

You are eligible for a full refund of the course fee if you withdraw no later than seven (7) days prior to the course start date.

A cancellation/transfer fee of \$400 will apply for any withdrawals or transfers between course intakes (if available) within seven (7) days of the course start date (including GST).

No refunds are available on or after the course start date. No refunds are available after an enrolment is transferred as set out below.

If you are unable to attend the course in which you have enrolled and you wish to transfer your enrolment to a future intake of the course (if available), you are permitted to do so on one occasion. The cancellation/transfer fee will apply if such a request is made within seven (7) days of the course start date. Any further course transfer requests will be at the discretion of the College of Law and only granted in cases of serious illness or misadventure, supported by documentary evidence.

Once an enrolment is transferred, you forfeit any right to a refund of the course fees. If you cannot commit to the course dates of a future intake, we recommend that you opt for a refund instead of a transfer. You may repurchase at any time via our website.

You are not permitted to transfer your course enrolment/s to another person.

Academic Misconduct

The College takes academic misconduct seriously and expects a high standard of work from students...

You are required to maintain the following academic values in accordance with the College's Academic Conduct Policy.

- honest and forthright communication
- fairness and impartiality
- fair recognition of the contributions and works of others
- reliable and responsible research that complies with ethical standards
- transparency and thoroughness in the conduct of research, and
- authorship.

You must not:

- misrepresent, fabricate or falsify information or research data
- plagiarise or fail to provide appropriate referencing, or

- fail to properly acknowledge any work produced by a collaborator or the contributions of others.

Misrepresenting, fabricating or falsifying information or research; and/or plagiarising or failing to provide appropriate referencing; and/or failing to properly acknowledge any work produced by a collaborator or the contributions of others., may result in a finding of academic misconduct in accordance with the College's Academic Conduct Policy.

Use of Generative Artificial Intelligence (GenAI)

The College permits the use of Generative Artificial Intelligence (GenAI) in accordance with the following requirements:

- You must not input any College of Law fact patterns, materials or resources or any confidential information, into a Generative AI platform or search fields. This may constitute an infringement of confidentiality or intellectual property rights. Breach of this requirement is likely to result in a finding of academic misconduct that must be disclosed to the admitting authority when you apply for admission.
- You must not use your college student ID / email to sign up to a Generative AI platform
- If you do use Generative AI to support your work, you must include a statement with your submitted coursework. The statement must include details of the purpose for which you used Generative AI and a brief description of the steps you took in using it. Breach of this requirement is likely to result in a finding of academic misconduct that will need to be disclosed to the admitting authority when you apply for admission.
- Generative AI is not always accurate. It is your responsibility to ensure that you analyse and check any output carefully for accuracy, as well as other issues that may arise.
- Be mindful of any Generative AI policies that your employer may have if the course that you are enrolled into permits you to use in-house AI resources when completing your coursework.

AI tools can assist, but they must not replace your reasoning, analysis or voice. You are responsible for the accuracy, relevancy and integrity of your work.

What to do if you are using GenAI

If you use any Gen AI tools (e.g. ChatGPT, Microsoft Copilot, Grammarly) during the Training Program and Assessment, you must clearly and honestly document and declare how you used each tool in a written statement.

In your statement you must be specific about: (i) what tool(s) you used and how you used them (e.g. brainstorming, grammar, structure); (ii) how you used or edited the output; and (iii) what steps you took to ensure academic integrity.

You are required to save a copy of your prompts and the AI's responses as you might be asked to provide these during an academic integrity check. Screenshots exported chats or saved transcripts are acceptable.

Standard of Expected Behaviour

At all times during the completion of the Training Program and Assessment you are required to conduct yourself in a polite and respectful manner in accordance with the College's [Student Code of Conduct](#).

Aggression, rudeness, use of obscene language, harassment and/or other examples of unprofessional behaviour will not be tolerated. If you do not meet these minimum conduct standards in the view of the course facilitator, you may be withdrawn from the Training Program and Assessment, and you will not be entitled to a refund of the course fee.

Annexure A – AMDRAS Accreditation

As stated above, to seek AMDRAS accreditation to become an Accredited Mediator, you must:

Step 1: Complete a Nationally Accredited Mediator Training Program

You must complete a nationally recognised mediator training program, prior to completing your mediation assessment.

Step 2: Successfully complete the National Mediation Assessment

You must complete a National Mediation Assessment and attain a competent grading within twelve (12) months from the date of your accredited mediator training course. We strongly recommend completing the National Mediation Assessment within three (3) months of your training program.

To successfully pass the assessment, you must meet the assessment requirements of the Australian Mediator and Dispute Resolution Accreditation System (AMDRAS), by demonstrating competency with respect to all aspects of the AMDRAS process and the necessary skills required to lead parties through the process. Please refer to the section 'Satisfactory Completion and Result Notification' above for further information.

Step 3: Apply to a Recognised Accreditation Provider (RAP)

Once you have received your Assessment completion certificate and documents from the College of Law, you can then select a Recognised Accreditation Provider (RAP) for accreditation within six (6) months of completion. A full list of RAP's can be found at [here](#).

Solicitor members of The Law Society of New South Wales who have successfully completed the assessment are eligible to apply for mediator accreditation under the Lawyer Mediator Accreditation Scheme (LMA Scheme). Please click on this [link](#) for further information.

Further information regarding becoming an Accredited Mediator under the Australian Mediator and Dispute Resolution Accreditation Standards (AMDRAS) can be found on the AMDRAS Board website [here](#).

Step 4: Your RAP will add your name to the Register of Nationally Accredited Mediators.