



Australian Government

CHCMED003 Consolidate and conclude mediation

Release: 1

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Modification History

Release	Comments
Release 1	This version was released in <i>CHC Community Services Training Package release 3.0</i> and meets the requirements of the 2012 Standards for Training Packages. Significant changes to the elements and performance criteria. New evidence requirements for assessment including volume and frequency requirements. Significant change to knowledge evidence. Supersedes CHCMED416C

Application

This unit describes the skills and knowledge required to assess the level of agreement reached, provide information for future action or referral, and document the mediation outcome.

This unit applies to mediation work in a range of community service contexts. Mediators use specialised knowledge, critical thinking and communication skills. They apply discretion and judgement within established organisation procedures.

The skills in this unit must be applied in accordance with Commonwealth and State/Territory legislation, Australian/New Zealand standards and industry codes of practice.

Elements and Performance Criteria

ELEMENT

PERFORMANCE CRITERIA

Elements define the essential outcomes

Performance criteria describe the performance needed to demonstrate achievement of the element.

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|----------------------------------|--|
| 1. Assess the level of agreement | 1.1 Assess when agreement has been reached or when it is not possible based on progress of mediation |
| | 1.2 Support participants in reaching agreement across the final impasses and gaps using negotiation and problem-solving skills |
| | 1.3 Confirm clarity of participants' understanding of any agreement and their roles and responsibilities |

ELEMENT	PERFORMANCE CRITERIA
2. Provide information and referral	2.1 Discuss information on further dispute resolution options if agreement is not reached 2.2 Outline the options for legal advice as one way of managing any lack of agreement 2.3 Apply case management guidelines with participants according to the specific case
3. Document and communicate outcome	3.1 Accurately record agreements and outstanding issues according to organisation procedures 3.2 Agree on process to communicate the outcome of the mediation to third participants 3.3 Specify actions to support implementation of the mediation and seek agreement between all participants to the dispute 3.4 Ensure mediation outcomes reflect shared responsibility and short/long term and contingency plans
4. Evaluate mediation	4.1 Identify and reflect on areas of strength and challenge in the mediation process 4.2 Reflect on and review own role as mediator 4.3 Use learning from evaluation to inform future practice

Foundation Skills

The Foundation Skills describe those required skills (language, literacy, numeracy and employment skills) that are essential to performance.

Foundation skills essential to performance are explicit in the performance criteria of this unit of competency.

Unit Mapping Information

No equivalent unit.

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=5e0c25cc-3d9d-4b43-80d3-bd22cc4f1e53>

Assessment Requirements for CHCMED003 Consolidate and conclude mediation

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Performance Evidence

The candidate must show evidence of the ability to complete tasks outlined in elements and performance criteria of this unit, manage tasks and manage contingencies in the context of the job role. There must be evidence that the candidate has:

- consolidated, concluded, documented and evaluated at least 5 mediation processes with clients with varying circumstances and types of dispute
- used and adapted the following communication skills to meet the needs of different clients during the consolidation and concluding phases:
 - paraphrasing
 - summarising
 - problem-solving
 - negotiation and decision-making.

Knowledge Evidence

The candidate must be able to demonstrate essential knowledge required to effectively complete tasks outlined in elements and performance criteria of this unit, manage tasks and manage contingencies in the context of the work role. This includes knowledge of:

- legal and ethical considerations for concluding the mediation process, and how these are applied in organisations and individual practice:
 - bias
 - codes of conduct
 - conflicts of interest

- discrimination
- duty of care
- privacy, confidentiality and disclosure
- records management
- rights and responsibilities of workers, employers and clients
- specific legislation that affects mediation, including:
 - freedom of information
 - types of court orders or other legal parameters that may impact
- work role boundaries – responsibilities and limitations of the mediator and the roles and functions of support persons, lawyers and other professionals
- work health and safety
- principles and functions of the final stages of the mediation process, including:
 - negotiation
 - reaching and making decisions
 - relationship between the conclusion stage and other stages of mediation
- the consolidation and decision making stage of the mediation process and the techniques used
- availability of options for legal advice in relation to common types of dispute
- the nature of conflict, including the dynamics of power and violence
- communication patterns in conflict and negotiation
- negotiation dynamics in mediation, including manipulative and intimidating tactics
- diverse perspectives for mediation and how these may interact with, and impact on the mediation, including:
 - attitudes of members within a family
 - variations on the agreed norms and range of behaviours
 - culture in relation to problem-solving and dispute resolution
 - culture in relation to negotiation, concessions and compromise
 - variations in relation to written, spoken and non-verbal communication
 - attitudes towards physical space, venue and time
 - attitudes towards the role of outsiders in dispute resolution
 - attitudes in relation to the role of law, the courts, lawyers and professional advisers
- own strengths and limitations in handling the mediation process, and the boundaries of one's role
- own interpersonal communication style and the effect it has on others
- own personal responses to conflict and high emotion and potential impact on mediation process.

Assessment Conditions

Skills must have been demonstrated in the workplace or in a simulated environment that reflects workplace conditions. The following conditions must be met for this unit:

- use of suitable facilities, equipment and resources, including:
 - dispute information and information about the parties involved
 - organisation policies and procedures
- modelling of industry operating conditions, including:
 - scenarios that allow for complex interactions with others
 - scenarios that involve problem-solving.

Assessors must satisfy the Standards for Registered Training Organisations (RTOs) 2015/AQTF mandatory competency requirements for assessors.

Links

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