



Australian Government

CHCMED006 Consolidate and conclude mediation

Release: 1

CHCMED006 Consolidate and conclude mediation

Modification History

Not applicable.

Application

This unit describes the performance outcomes, 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 or Territory legislation, Australian standards and industry codes of practice.

No occupational licensing, certification or specific legislative requirements apply to this unit at the time of publication.

Pre-requisite Unit

Nil

Competency Field

Mediation

Unit Sector

Community Services

Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
<i>Elements define the essential outcomes</i>	<i>Performance criteria describe the performance needed to demonstrate achievement of the element.</i>
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 techniques. 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 and 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

Foundation skills essential to performance in this unit, but not explicit in the performance criteria are listed here, along with a brief context statement.

SKILLS	DESCRIPTION
Writing skills to:	complete familiar forms.
Oral communication skills to:	listen to understand needs of others.

Unit Mapping Information

Supersedes and is equivalent to CHCMED003 Consolidate and conclude mediation.

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 CHCMED006 Consolidate and conclude mediation

Modification History

Not applicable.

Performance Evidence

Evidence of the ability to complete tasks outlined in elements and performance criteria of this unit in the context of the job role, and:

- consolidate, conclude, document and evaluate at least five mediation processes with people with varying circumstances and types of dispute
- use and adapt the following communication techniques to meet the needs of different people during the consolidation and concluding phases of the above five mediations:
 - paraphrasing
 - summarising
 - problem-solving
 - negotiation and decision making.

Knowledge Evidence

Demonstrated knowledge required to complete the tasks outlined in elements and performance criteria of this unit:

- 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 participants
 - specific legislation that affects mediation:
 - freedom of information
 - types of court orders and other legal parameters that may impact
 - work role boundaries including responsibilities and limitations of the mediator and the roles and functions of support persons, lawyers and other professionals
 - work health and safety (WHS)
- principles and functions of the final stages of the mediation process:

- negotiation
- reaching and making decisions
- relationship between the conclusion stage and stages of domestic and family violence
- 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:
 - 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 be demonstrated in the workplace or in a simulated environment that reflects workplace conditions.

Assessment must ensure:

- access to facilities, equipment and resources that reflect real working conditions and model industry operating conditions and contingencies
- dispute information and information about the parties involved
- access to organisational standards, policies and procedures
- links to other local service agencies or organisations
- opportunities for engagement with real people undertaking mediation.

Assessors must satisfy the Standards for Registered Training Organisations' requirements for assessors.

Links

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