



RICS Dispute Resolution Service

RICS Accredited Mediators

**Criteria for Reassessment of the RICS Accredited Mediators
on the President's Panel**



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1 General

- 1.1 These criteria focus on the knowledge, skills, experience and qualifications required to undertake the role of a mediator and to be included on the RICS President's Panel in this capacity, and so to be eligible for appointments by RICS DRS.
- 1.2 Prior to the interview each candidate will be required to send to the RICS DRS:
- certificate evidencing successful completion of RICS accredited mediator training course or equivalent (CEDR or Chartered Institute of Arbitrators);
 - evidence of mediation experience - this should include experience as a lead mediator in at least 3 mediations in the last five years;
 - reports on the 3 mediations, in the last five years, carried out with a summary of the problems experienced and what the mediator has gained from the experience;
 - evidence of compliance with 40 hour CPD requirements in the last five calendar years
 - sample mediation agreement;
 - a completed skills form DRS12M;
 - the relevant fee for reassessment.
- 1.3 Written references will have been obtained by RICS prior to the interview and will be forwarded to the interview board. A member of the interview board may speak to the referees prior to the interview.
- 1.4 The interview board will comprise of 3 members. It will be chaired by a senior panel member, who will have been assessed for suitability of acting as chair. The chair will be assisted by a professional from the sector, who is not a panel member, and an independent member. The independent member's role is to ensure fairness and consistency of approach.
- 1.5 **Candidates must demonstrate experience as well as formal accreditation to retain their place on the panel.**

2 Standard

- 2.1 The standard of performance will be assessed by reference to the abilities and qualities that would normally be expected of a member on the RICS panel. The test is the standard of the ordinary skilled man exercising and professing to have that special skill. (*Bolam -v- Friern Barnet Hospital Management Committee*)

3 Criteria

- 3.1 In order to remain on the panel, the candidate must be able to demonstrate competency in the following areas:

3.1.1 Skills Form

The interview board will have a discussion with the candidate to establish that:

- the candidate's appropriate skill areas as a mediator have been identified;
- the referees must have personal knowledge of the candidate's experience in the areas indicated on the skills form;

3.1.2 Knowledge

Candidates must be able to demonstrate:

- an understanding of the legal framework within which mediation operates
- a detailed understanding of the process of mediation and its application including the duties, powers and obligations of a mediator

3.1.3 Skills

Candidates must demonstrate the ability to:

- Manage the mediation process effectively
- Act impartially and fairly
- Build a relationship with the parties
- Provide a safe environment for the parties
- Encourage understanding between the parties

3.1.4 CPD

CPD is important for keeping up to date with practice and procedure. CPD for the previous five years is required, and **40** hours per annum as a minimum should be demonstrated. This should include and be spread over the following areas:

- acting as a mediator/observer
- attendance (or presenting) at workshops
- attendance (or presenting) at structured training events
- assisting/representing parties in mediations
- private study of relevant material (including case law)
- participation in mediation de-briefs

Please note: If you are an RICS member, your RICS on-line CPD record should be included with mediation events highlighted.

3.1.5 Attitude

Candidates must be able to demonstrate:

- the ability to give the parties to have confidence in the process of mediation
- the necessary gravitas to demonstrate presence and authority
- the capacity to conduct himself/herself in a manner that would establish and maintain the independence of the mediator.

3.1.6 General

The interview board may also consider overall suitability and this can include:

- ability and aptitude of the mediator;
- the standard and professionalism of any documentation and communications;
- any upheld RICS complaints against the member or any judicial comment if applicable.

For the possible outcomes of the assessment and other information about the interview, please refer to the RICS Interview Guide for Candidates available from DRS.

All Panel Members must sign and comply with the Service Level Agreement between the panellist and DRS. Copy of the current SLA is available from DRS upon request.

Please note:

If you pass your assessment, you will be required to provide to DRS annual confirmation that you have observed or conducted at least two mediations per calendar year.

Being accredited as a mediator by RICS and being on the RICS President's Panel of Accredited Mediators will make you eligible for appointments by RICS DRS, but is not a guarantee that you will receive appointments from RICS.

For further information contact RICS Dispute Resolution Service, Surveyor Court, Westwood Way,
Coventry, CV4 8JE
t +44 (0)20 7334 3806
e drs@rics.org