

# Learning Assessment Guide

## Unit Standard 12833 – Version 3

### Apply communication skills within the mediation process

#### Level 4 – 4 Credits

<b>Assessment Summary</b>			
<b>Learner to complete</b>			
<b>Learner's name:</b>			
<b>Employer:</b>			
<b>NSN no. (ROL):</b>		<b>DOB:</b>	
<b>Signed:</b>		<b>Date:</b>	
<b>Assessor to complete</b>			
<input type="checkbox"/> Meets requirements <input type="checkbox"/> More training required <input type="checkbox"/> More evidence required			
<b>Assessor's name:</b>		<b>Assessor's No.</b>	
<b>Signed:</b>		<b>Date:</b>	

## Before you begin...

- As well as this Learning Assessment Guide, you may also want to refer to the unit standard from the NZQA website (<http://www.nzqa.govt.nz>).
- Read the Trainee Information Kit. The kit contains important information and guidelines for Learners and can be found on the Learning State website (<http://www.learningstate.govt.nz>) under Learners, then Learning Assessment Guides.
- Check the learning resources available for this unit standard on the Learning State website (<http://www.learningstate.govt.nz>) under Learners, then Learning Assessment Guides.

This Learning Assessment Guide is made up of:

- tasks for you to complete
- an Observer Checklist to record your practical performance
- assessment results that the assessor will use to assess your competence.

The tasks in this assessment are designed to show your assessor that you can:

- 1 identify communication skills and strategies within the mediation process
- 2 apply communication skills within the mediation process.

## Assessment Task One – Elements 1 and 2

These tasks are designed to assess your ability to:

- identify the communication skills used in mediation
- apply communication skills within the mediation process.

### **Task one questions**

Use this format on a word processor or record your answers on a separate sheet of paper. The tables do not allow adequate space for handwritten answers.

1. Complete the following table by recalling an example from your recent mediation experience for each skill. Alternatively you may provide a hypothetical example. Examples may also be from the mediations observed as part of this assessment. Add other skills as you wish to.

<b>Communication skill</b>	<b>Description of the skill as used in mediation</b>	<b>Example</b>
Active listening		
Clarifying		
Reflection		
Questioning – open		
Questioning – closed		

Summarising		
Feedback		
Other (please list)		

2. Identify and describe **three** communication blocks you may experience in mediation, and describe the strategy you would use to overcome them. Ensure you comment on the effectiveness of the strategy.

Communication block	Strategy used to overcome it
Example no.1	
Example no.2	
Example no. 3	

3. Describe how you establish a communication environment suitable for the mediation process when beginning a mediation.
4. Briefly describe **three** considerations related to your use of language in mediations. (E.g. Clarification of any technical terms to be used for your own understanding and for any others present who are unfamiliar with such terminology.) One or two sentences for each is sufficient.
5. Briefly describe **three** considerations related to the gathering of information about the dispute during the early stages of a mediation. (E.g. Information gathered is comprehensive without being excessive.)
6. Briefly describe **three** characteristics of an effective mediation environment which achieve commitment from the parties and enable them to express their needs, concerns and expectations. (E.g. Mediator presents as impartial and sufficiently neutral toward the content of the dispute so as not to favour any one party.)
7. Briefly describe **three** facilitation strategies which may be used to address communication blocks in mediation. (E.g. Mediator ensures that all significant persons affected by the mediation are actively involved.)

Your assessor may wish to discuss your answers with you.

## Assessment Task Two – Element 2

This task assesses your ability to apply communication skills within the mediation process.

It requires that you be observed during mediation by your assessor or by an observer approved by your assessor.

### ***Task two instructions***

1. Organise for your assessor (or an observer approved by your assessor) to be present during at least one of your mediations, preferably two.
2. This observation should total a minimum of two hours.
3. Observation during two different mediations (minimum 1 hour observation at each) is likely to provide you with the opportunity to demonstrate a wider range of communication skills because of the different contexts and personalities involved.
4. The permission of the participants will need to be sought for the observer to be present.
5. The observer will use the Observation Checklist to record your performance. You should familiarise yourself with the requirements of the checklist prior to the mediations.

## Observation Checklist

### Unit Standard 12833 V3 Apply communication skills within the mediation process

Record at least one example of good practice for each performance criteria from your observations and indicate yes / no whether, in your view, the criteria was met.

Use a separate form for each observation.

Learner:
Identification of mediation (file number, or date, time, and place):
Number of persons attending apart from mediator and observer:
Duration of session:

1. A communication environment suitable for the mediation process is established.

*(E.g. room preparation, greetings and introductions, seating, mediator manner, ground rules, overview, consequences of not reaching a voluntary settlement.)*

Example / Comments:

Yes / No

2. Language selected and used is suited to the parties involved.

*(E.g. is understood by both parties, technical terms explained, does not favour one party, does not 'talk down' to any of the participants.)*

Example / Comments:

Yes / No

3. Information about the dispute is gathered from the parties.

*(E.g. ensures uninterrupted presentations, clarifies important points, information is gathered and shared in an orderly manner.)*

Example / Comments:

Yes / No

4. Mediator creates an environment which achieves commitment from the parties and enables them to express their needs, concerns and expectations.

*(E.g. mediator presents as a skilled professional, impartial and neutral toward the content of the dispute, gets a commitment to the mediation process.)*

Example / Comments:

Yes / No

5. Facilitation of the mediation allows communication blocks to be addressed.

*(E.g. facilitates expression of each party's needs, interests and concerns, manages the expression of anger, and facilitates the constructive exploration of options.)*

Example / Comments:

Yes / No

6. Other comments:

Assessor / Observer:

\_\_\_\_\_

Signature:

\_\_\_\_\_

Date of observation:

\_\_\_\_\_

## Assessment Task Three – Element 2

Task three involves verification of your knowledge and use of communication skills in mediation from your workplace.

It primarily addresses element two but also the application of the knowledge dimension of element one.

### ***Task three instructions***

Find out from your assessor whether they require oral verification (through direct contact with your manager or nominated team leader), or written verification.

If written verification is required:

1. Brief your manager on the content of this unit standard.
2. Ask your manager to complete the accompanying verification form.
3. Ensure that the completed form is given to your assessor.

### Learner Verification Form – Unit Standard 12833 Version 3

Name of learner:
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This learner is currently being assessed toward unit standard 12833 Apply communication skills within the mediation process. Your knowledge of the learner is sought to verify whether or not the learner demonstrates the effective application of communication skills within the mediation process.

Please complete this form and arrange for it to be passed on to the 12833 assessor.

Does the learner establish a communication environment suitable for the mediation process?	Yes	No
Does the learner use language which meets the needs of the parties during mediation?	Yes	No
Does the learner gather information about the dispute from the parties appropriately?	Yes	No
Does the learner create an environment which achieves commitment from the parties and enables them to express their needs, concerns and expectations?	Yes	No
Does the learner facilitate mediation in a way that provides for communication blocks to be addressed?	Yes	No

Comments:
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Name:		Phone:	
Position:		Date:	
Email:			

## Assessment Results

These are the judgements that your assessor will use to assess you.

Do the learner's answers provide sufficient and appropriate examples?	Yes	No
Do the learner's answers demonstrate a sound understanding of the communication skills used in mediation?	Yes	No
Do the learner's answers demonstrate a sound knowledge of strategies to overcome communication blocks in mediation?	Yes	No
Did the observations result in completion of the Observation Checklist and confirmation of the learner's ability to apply communication skills within the mediation process?	Yes	No
Did the responses from the learner's manager endorse the learner's ability to apply communication skills within the mediation process?	Yes	No