



# Mediation Skills

## QQI Level 6 6N4910

### Assignment Brief

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## Introduction

Hello and welcome to our Mediation Skills Programme, we are delighted that you have chosen to work with DCM Learning as you continue your education.

This course is at Level 6 of the National Framework of Qualifications. To receive an award at Level 6 you will be required to undertake self-directed learning after you complete the training course. This self-directed learning will typically include additional reading, research, self-reflection and preparation of your assessments.

This document contains important information about the assessment process and it is important that you read each part of the document carefully so you clearly understand what is required of you.

We hope your return to the learning experience is a positive one and we wish you every success in achieving your QQI Level 6 Certificate in Mediation.

In addition to the information in this document, you should visit our [Guide to completing your Mediation Assessments](#) page.

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## Course Requirements and Assessments

You are required to complete three pieces of work for your certificate. These are detailed below.

Ideally, your assignments should be relevant to your current or previous work environment and practical work-based examples should be given to support your work. If this is not possible you can use an organisation that you are familiar with, maybe through a volunteer role or a hypothetical organisation.

You will be provided with an MS Word template for each assignment, the first page of each template will be a cover sheet which you **MUST** complete in order to submit your assignment. The cover sheet will detail to the grader, who you are, and specify the assessment you are submitting. An assessment template is a helpful tool and we recommend you use it to make sure that you do not leave any sections out and lose marks.

Pay attention to the required word count for each section and do not go significantly under or over the required word count (10% above or below is ok).

Pay attention to the formatting of your document - it matters! Use paragraphs and put headings in bold. Change the vertical spacing on your document to 1.5 or 2.0 (YouTube has how-to videos) to make your assignment easier to read.

Before submitting your assignments you should use a spelling and grammar checker and get somebody else to proofread your work. It's much easier to spot mistakes in another person's writing, and you can lose marks for careless mistakes.

**Your work should show evidence of relevant reading around each topic and it MUST be clearly referenced and include a bibliography.**

## Assessment 1: Skills Demonstration (50% / 100 Marks)

This Skills Demonstration requires you to demonstrate your understanding of effective mediation by analysing a given case study and answering the questions provided.

First, choose a mediation context that best suits your current role or intended future role - Commercial, Community, Workplace or Family. Next, analyse the matching case study from page 10 onwards in this brief, and answer the questions below.

Tasks		Required Word Count
<b>Task 1</b>	<b>Case Study Review</b>	
(10 marks)	A. Discuss why a facilitated mediation approach would be appropriate in this case, discuss the benefits of using this approach.	NA
10 marks)	B. Based on the Background information provided in your case study; summarise each parties concerns, feelings and values as you would at the close of each side uninterrupted storytelling (reframe the issues into an appropriate language, while still allowing the owner to remain with the individual parties).	NA
(10 marks)	C. List and discuss areas of common ground that you would focus on to connect the parties?	NA
(10 marks)	D. Based on the Background information provided in your case study; what would be the main challenge you faced as a mediator? What skills and techniques would you use to overcome these challenges?	NA
(15 marks)	E. Using the PIN model identify the positions and needs of all parties.	NA
(10 marks)	F. List at least 3 questions that you could ask each party to encourage them to move from their positions and focus on their needs. Explain your reasoning for each question.	NA
(15 marks)	G. Based on your understanding of each party's persona, in this case, list and discuss any potential problems that could derail any agreement, discuss how you would address this with the parties before finalising the agreement.	NA
(20 marks)	H. Use the template provided to develop a logically written agreement that addresses the issues, interests of the parties	Template



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	and includes possible contingencies. Describe how this possible agreement addresses the interests of all parties.	
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## Assessment 2: Learner Record (30% / 60 Marks)

A learner record is the learner's self-reported and self-reflective record in which he/she describes specific learning experiences, activities, responses and skills acquired during the course, i.e. ***What I have learned***.

We advise that you use the Learner Record Log in your course manual to keep a record of what you have learned during the course and how you think this will impact your role as a Mediator in the future. This log can then be used to form the basis of a 1500-word essay under the headings in the table below.

Your essay should not be a summary of the course. Also, it is not about the tutor or your fellow learners. The essay should be written in the first person and describe: -

- What **you** have learned during the course and during your own research
- How **you** performed as a learner on the course
- How **you** will put what you have learned into practice going forward.

Tasks		Required Word Count
Task 1 (20 marks)	A. Discuss your purposes and interests in taking the mediation training and how the training has met your needs.	500
(20 marks)	B. Discuss the specific areas of development and learning, personal responses and skills you have acquired during the training.	500
(20 marks)	C. Discuss your own strengths and weaknesses and areas of development that you have identified for yourself.	500

### Assessment 3: Assignment (20% / 40 Marks)

This assignment has been designed to allow you to demonstrate your understanding of each topic in the table below and how it might apply to your real work as a mediator.

Ideally, your assignment should be relevant to your current or previous work environment and practical work-based examples should be given to support your work.

If you are not currently working within an organisation, then you may complete this task in relation to an organisation with which you are familiar. This could include experience working in a voluntary capacity.

Tasks		Required Word Count
<b>Task 1:</b> (5 marks)	<b>Mediation and Conflict</b> A. Identify at least 3 methods that can be used to resolve conflict, one of which must be mediation. Discuss the differences between each, when they are most appropriate and the possible benefits for the stakeholders involved.	500
(5 marks)	B. Describe each of the five conflict styles and some behaviours that parties might exhibit if they were predominantly using that style. What specific interventions would you as a mediator, use to help each of those five people participate in the negotiation process?	500
<b>Task 2:</b> (4 marks)	<b>Ethics and Regulatory Framework</b> A. Outline the principles of effective mediation and discuss why confidentiality is crucial to the mediation process?	250
(3 marks)	B. Explain why mediators need to keep records and outline the precautions required to safeguard the information and how this is impacted by Data Protection legislation.	200
(3 marks)	C. Select a context of your choice - Commercial, Community, Family or Workplace and discuss the relationship between mediation and the law in your chosen context.	350



<b>Task 3:</b> (5 marks)	<b>Mediation Skills</b> A. Explain why mediator neutrality is essential and when might this be a challenge for you as a mediator? Discuss how you, as a mediator, can deal with your internal biases.	300
(5 marks)	B. Describe at least 3 of the communication tools and techniques that are available to you as a mediator. In your description, please include why these tools and techniques are important for a mediator to be able to use and when might a mediator use them.	450
<b>Task 4:</b> (5 marks)	<b>Models of Mediation</b> A. Compare and contrast 2 mediation models/frameworks of your choice, using examples to show where each is most appropriate	400
<b>Task 5:</b> (5 marks)	<b>Mediation in Practice</b> A. Describe the steps in the mediation process.	450

## Case Study 1: Commercial Dispute

### Background:

Paul works from home as a freelance accountant. He and his wife Suzie have two young children in the house, which makes it difficult to concentrate at times. For this reason, he decided to have an extension built, which would create the ideal office. Paul gathered many quotations and enlisted the help of Sam, who owned the local building merchants. Sam agreed to charge €5,000 less than most of the other firms and was able to start immediately. For Paul to save more money, he decided to draft the plans for the extension. They both agreed that payment would take place during key points throughout the project.

As the project progressed, some key problems were encountered. Sam realised that Paul had underestimated the number of sockets required and failed to account for damp proofing, which was essential due to a nearby embankment. A joke developed about Paul continually asking Sam, “Can you just...?” Close to the completion date, Sam gave Paul his bill for the penultimate payment. It was €4,300 more than agreed, taking into account all of the “Can you just...?” extra jobs. Paul would not pay the bill and Sam refused to complete the work without payment.

As both parties were adamant that the other was in the wrong, a solicitor suggested that they use mediation instead of the small claims court. This way a resolution could take place without the need for court action and a quick resolution was highly likely.

### Paul’s story:

Paul was deeply annoyed that Sam had not completed the work and could not believe the amount of mess that was left behind. He acknowledged that he had asked for numerous little jobs to be done throughout the building process, but felt that Sam should have told him at the time if it was going to cost far more than the agreed budget. Paul was willing to pay some of the amounts, but will not be bullied into handing over a blank cheque!

Paul also understands that as a consequence of drafting the original architecture himself, he was partly to blame for some of the expensive errors, which a professional architect would have uncovered. To complete the project, Paul has tried to enlist some of Sam’s sub-contractors, but most need Sam to provide them with business in the future, and he has told them not to do any further work on the house. Paul wants the work completed fast, as he is currently working in a cramped office and the exterior of his house is not welcoming to new clients.

### Sam’s story:

The business was difficult to come by for Sam before taking this job. Due to several large firms currently offering massive discounts, the only way to compete was on price. Sam tried not to complain about the small jobs that Paul was requesting so that he could complete the



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job on time. After the barrage of “Can you just...?” Sam’s patience finally ran out when Paul refused to pay the bill.

Sam is also disappointed at the situation, as he has been very generous, both in the original quote and in the way he has modified the original plans. Sam needs to be paid for the job that he has completed but refuses to go back on site until he is guaranteed payment. After Paul failed to pay the bill, Sam sought legal advice, but if an agreement could be struck through mediation, he was more than happy to give it a go.

## Case Study 2: Community Dispute

### Background:

George and Anne are neighbours. Anne is a single parent with two teens. George lives alone. Anne often allows her daughters to host parties at her house. Two weeks ago, Anne hosted a party, which the fire department responded to. George got fed up with the ruckus and ran over to the house to confront Anne. Anne called the police. The police said it was a civil matter and referred both parties to mediation.

### Anne:

Anne is a single parent of two teenagers, Tom (16) and Jennifer (17). Jennifer is graduating this year and will be going away for college next year. Anne really wants this graduating year to be special for her. Anne knows that this will likely be Jennifer's last carefree year and she wants her to enjoy every minute of it.

Anne has always been a considerate neighbour and is on good terms with the neighbours, although not really friends with any of them. Anne likes to keep some distance from people when she lives so close to them.

This spring, Jennifer and her friends have had grad parties nearly every weekend at someone's house. Since Anne has the largest house, the majority of the parties have been at her place. They are a good bunch of kids and deserve a little celebrating.

On occasion, Anne's neighbour, George, has mentioned that the parties are a bit loud and go on a bit late. Anne feels that he is being somewhat unreasonable, especially because she has had to put up with the barking of his beagle for the past 5 years. Even though the barking is annoying, she has never asked George to curtail it. Now that he is complaining about the parties, she is finding the barking almost intolerable. Not only that, the beagle frequently leaves piles on her lawn and rummages through her garbage bins in the lane.

Anne just had a mega-party two weeks ago which did get a little out of hand. For some reason, a fire truck appeared at the house at 3 a.m., and several of the kids were carrying on in the front lawn. Some bottles were broken but no real damage was done. George showed up in a real temper. Anne had never seen him like that before. He was making threats and appeared nearly out of control. He even insulted Anne as a parent and called her children "tramps." Feeling her own anger rise to the surface, Anne decided to call the police to intervene.

### Additional information revealed in private a meeting/during negotiations:

Anne divorced her husband because of his out of control temper. Having George show up as he did bring up a lot of fear for her. She was also raised by a spinster aunt and kept under strict controls. Anne always felt that she had missed out on a lot as a young person and she is determined to make things better for her kids.

**George:**

George is a 60-year-old bachelor and lives in a quiet residential neighbourhood. He lives a very regimented life: to bed at 10:00 p.m., rises at 6 a.m., walks his dog, a beagle named Juicy, from 6:30 to 7:30 a.m. and so on. He likes to know what to expect from the day and generally, things go along very smoothly.

That is, until this spring when his neighbour, Anne, began throwing riotous parties for her two punk teenagers. Nearly every Saturday night, he is kept awake way past midnight by loud music and siren-like laughter and screams. He has asked Anne on a number of occasions to keep the noise down after 10 p.m., and she even said that she would. But, sure enough, the next weekend things got even louder.

Well, George has had enough! Two weeks ago, the party was the worst one ever and he was fantasising about taking real action. There were at least 20 kids on the front lawn at 3 a.m., and someone must have set the place on fire because a fire truck appeared at 3:12 a.m. George was awake all night and he refused to tolerate any more of this nonsense. George thinks that Anne, like most single parents, has no control over her kids and they will all probably end up behind bars someday and the sooner, the better, as far as he is concerned.

He went over to Anne's house and demanded that she put a stop to these parties. As soon as he began telling her how he felt, he found himself losing control and shouting insults and accusations at her. Before he knew it, Anne was shouting just as forcefully back at him when she suddenly grabbed the phone and called the police.

## Case Study 3: Workplace Dispute

### Background

Jane was promoted to senior manager six months ago and is on the way to becoming the next CEO of the company. She is working hard to increase productivity and sales have started to improve. The CEO is happy with Jane's performance and she is in line for a substantial bonus.

A few days ago a member of the sales team, Kate, alleged that Jane has been bullying and harassing her to improve sales figures. She lodged a formal complaint with HR. Jane said that it was all a 'storm in a tea cup' and it was her way of motivating the troops.

Kate is extremely annoyed with Jane and the way she spoke about her work in front of colleagues. Kate said it was a form of bullying and harassment, telling her to 'get the finger out and get moving' with regards to sales.

The CEO wants this complaint dealt with as quickly as possible. The HR Department met with both parties and explained the Dignity at Work policy and offered the option of mediation and they agreed to attend.

### Jane

Show You Ltd. is a fast paced dynamic company. Six months ago a senior manager retired and Jane was promoted to this position, after having progressed through the ranks. She believes that she is on your way to becoming the next CEO of Show You Ltd.

Jane is working extremely hard to increase productivity and over the past few months sales have improved significantly. The current CEO is very happy with her performance and Jane is hoping to be in line for a substantial bonus.

Late last week an employee, Kate, has alleged that Jane had been "harassing" her to improve sales figures. Jane thinks this is ridiculous, she only said a number of times that she had to 'get their finger out and get moving' – or words to that effect. It was motivational talk! A team talk for everybody. Kate has now lodged a formal complaint with HR. The CEO wants this complaint dealt with as quickly as possible and so does Jane as she doesn't want any blots on her record.

### Kate

Kate believes that ever since Jane was promoted six months ago she really seems to think she is CEO-in-waiting – if not CEO already – judging by her behaviour.

Kate has a very busy job in sales and successfully deals with many clients. She regularly meets and exceeds her targets as a result of her hard work and dedication.

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Two days ago she had a ‘run in’ (to put it mildly) with Jane. Jane approached her in front of the rest of the sales team and gave you a verbal dressing down – almost shouting at her. Basically she told Kate to ‘get your finger out’ and start producing better results. Kate was, & still is, absolutely furious. How dare Jane talk to her like that in front of the others, it was very embarrassing – she has no right. Plus, it was so unprofessional. And worse, she doesn’t even know what’s going on and what Kate has in the pipeline. Kate feels she can find someone else to pick on!

As a result, Kate lodged a formal complaint with HR.

## Case Study 4: Family Dispute

### Background

Frank and Sarah are siblings with elderly parents. Both parents live in a purpose-built extension that is attached to Frank's house. Frank & his partner provide primary care, together with a home help person who comes in each day.

The siblings' 87-year mother has fallen and broken her hip and is currently in a nursing home. The family has been told that she may not walk again and Frank is adamant that she will have to remain there.

Sarah is extremely annoyed because she was not consulted and the whole reason for the parents moving to the new house with a special extension was so that they could remain at home. This has also used up a large portion of Sarah's inheritance – but this was fine as the care was provided for the parents. Sarah works and lives in Cork and does as much as she can with phone calls and visiting home a few times each month.

The relationship between the siblings is very strained and they are finding it almost impossible to communicate with one another. Both have agreed to mediation.

### Frank

Frank lives with his partner & three children in a lovely, large house in Co Kildare. Originally he had a small house in Co Wicklow but decided to pool funds with his elderly parents who were selling their house, and they all moved to this beautiful spot 8 years ago. There's half an acre of land where the dogs can roam and he grows lots of flowers, vegetables and herbs. He doesn't work outside the home and has a very nice lifestyle.

The reason for buying this house was that a large extension could be built for his parents that is connected to the main house. This meant that they could be independent, but still have help close at hand should anything happen. Frank has one sibling, Sarah, and she also agreed to the pooling of monies. Well, why wouldn't she when Frank is doing all the caretaking and has all the responsibility? (Well Frank and the home help.) Sarah works and lives in Cork and maybe come to visit once or twice a month.

Frank's 87-year-old mother is now in a nursing home after having fallen and broken her hip. It is not known if she'll be able to walk again. This has serious implications for her future and it could mean she has to stay in the nursing home for the remainder of her life. Frank cannot look after her at home if she is unable to get about by herself. He feels he has done enough at this stage, and his mother will be even more difficult now. Plus, he has his own life to live. Frank told Sarah that once the prognosis is final, he will make a decision. But he had already decided. Sarah was furious with Frank saying he had no right to make that decision on his own. There was a nasty row and it finished with Frank slamming down the phone saying that



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if Sarah was so concerned, she could look after her parents. The siblings have not been able to talk to one another since without it erupting into a shouting match.

### **Sarah**

Sarah works in IT for a busy company based in Cork. Both her parents are elderly and she gets home to visit roughly 2 weekends a month. Her parents live with her sibling, Frank, and his/her family in Co Kildare.

A number of years ago Frank wanted to move to a larger house but didn't have enough money. At that point, both your parents were getting on in age and it was agreed that your parents would sell their large house in Greystones and put a significant amount of the sale money into a new house, together with the proceeds of Frank's smaller house.

While this was part of your inheritance, you agreed as a special extension would be built on the new property for your parents so that they could live independently but have family close by.

Things have taken a turn for a worse after their 87-year-old mother fell and broke her hip. Currently, she is in a nursing home and it is not known if she will be able to walk again. Frank wants her to stay permanently in the nursing home if she is unable to walk. Sarah is very unhappy about this. That was the whole point of the pooling of monies – so that their parents could be taken care of at home.

The relationship between Sarah & Frank has turned unpleasant. Sarah feels like she cannot communicate without getting into an argument and now Frank is being a real smart-aleck saying if she's so worried about her mother, she can take care of both the parents.

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## Marking Guide

50 – 64 %	Pass	Show that you've learned and understood the course material.
65 – 79 %	Merit	Have learned the course material and show that you can apply that knowledge to real-world situations (use practical examples).
80 – 100%	Distinction	Show a deep understanding of the course material and how to apply it. Show evidence of having carried out additional reading, being able to show the pros and cons of the course materials and associated theories and offer alternatives based on solid research.

## Bibliography & References

Whenever you mention another author's work in your assignment, you should credit that author in a Bibliography & Reference section. This is a list of books, research papers or websites you've referred to in your assignment. The purpose of referencing is to give the reader enough information to find the source material. The method you use to reference should be consistent; see the links below for referencing methods. Make sure to highlight in the body of your assignment when you do this so that the examiner knows you're not copying another author's work without crediting them.

For example, in the body of your project, your text might look something like this:

*"Kirkpatrick (1) developed a four-level model for evaluating training, which was challenged and refined by Kaufman (2)."*

### References:

1. Kirkpatrick, D., & Kirkpatrick, J. 2006. *Evaluating Training Programs: The Four Levels*. Berrett- Koehler Publishers.
2. Kaufman, R., & Keller, J. M. (1994). *Levels of evaluation: beyond Kirkpatrick*. *Human Resource Development Quarterly*, 5(4), 371-380.

### Online Referencing Tools:

<https://www.citethisforme.com/harvard-referencing>

<https://www.easybib.com/mla8/source>

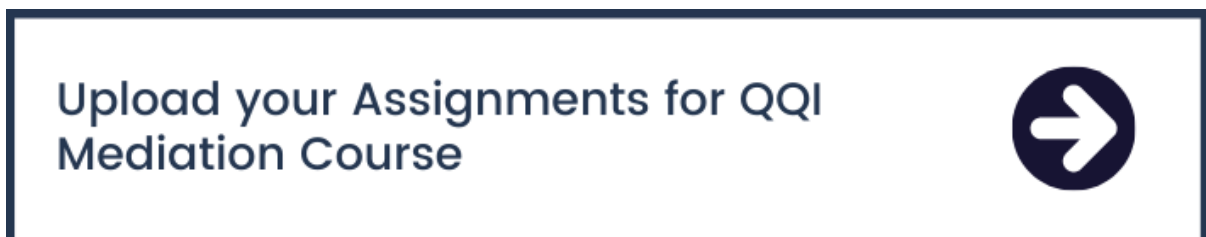
<http://scholar.google.com> (search for the book/paper and click  the icon)

## Submitting your Assignment

### **IT IS ESSENTIAL THAT YOU FOLLOW THESE GUIDELINES WHEN YOU ARE SUBMITTING YOUR WORK**

1. You must submit 1 document for your assignment and 1 document for the demonstration of your skills.
2. Each file must include a signed cover sheet confirming the assignment is your own original work. This sheet will be on the first page of each assignment template.
3. Your name should be on each page (in the header) and each page should be numbered.
4. All files should be saved as PDFs before they are submitted. Files must be named as follows: -
  - a. DCM Learning Mediation 6N4910 Skills Demo - YOUR NAME.pdf
  - b. DCM Learning Mediation 6N4910 Learner Record - YOUR NAME.pdf
  - c. DCM Learning Mediation 6N4910 Assignment - YOUR NAME.pdf
5. You must respect the word count guidelines
  - a. Skills Demo: N/A
  - b. Learner Record: 1,500 Words plus/minus 10%
  - c. Assignment: 3,400 Words plus/minus 10%
6. Any information that you source from another writer **MUST** be referenced in your bibliography. (NOTE: Your bibliography is not included in your word count)
7. You must avoid plagiarism. Plagiarised work will not receive a mark.
8. **All work must be submitted on or before the date advised in your enrollment**
9. If you need an extension you must complete our extension request form  
[Click this link to request an extension now](#)
10. [Click here if you need help completing the extension request form](#)

Once your assignments are ready click the button below to submit them for grading:



If you need help to complete our submission form visit [HERE](#).