

The Australian Mediator and Dispute Resolution Accreditation Standards (AMDRAS) - Guidelines for Alternative Pathways to AMDRAS Accreditation

Purpose

This Guideline provides a checklist to enable Recognised Providers¹ who are Registered Accreditation Providers (RAPs) to provide for alternative pathways to accreditation under AMDRAS.

The AMDRAS recognises alternative pathways to the Certificate of Training, the Certificate of Assessment, and the Practicum Certificate, based on an applicant's prior learning and experience.

Please check Part 4 - Training and Accreditation Framework (TAF), Division 8 - Alternative pathways to Certificates and Division 9 - Applications for accreditation of the AMDRAS.

Note: Only a RAP is authorised to grant accreditation under the AMDRAS Training and Assessment Framework.

A. Alternative Pathways to Accreditation

To qualify for accreditation through an alternative pathway, a RAP must be satisfied that the applicant has provided evidence that they substantially satisfy the requirements for any one or more of the Certificate of Training, the Certificate of Assessment, and the Practicum Certificate, by an alternative pathway.

In determining whether the applicant has satisfied the alternative pathways to accreditation requirement, a RAP must consider:

- (i) when the requirements were met; and
- (ii) any subsequent experience as a mediator.

Before issuing a Certificate, a RAP may assess the applicant in whatever way it considers necessary having regard to the standard requirements for the Certificate².

ISSUING ACCREDITATION

If the RAP considers that the applicant has satisfied the alternative-pathway requirement and has passed any further assessment under Clause 35(b) of AMDRAS, it must issue the requested Certificate or Certificates.

¹ A Recognised Provider is a generic term that includes a Recognised Training Provider and a Recognised Accreditation Provider.

² Clause 35(b)

ADDITIONAL REQUIREMENTS FOR ACCREDITATION

Please check Part 4, Division 9 of the AMDRAS which governs applications for accreditation under AMDRAS³.

B. Character, references, and disclosures

An applicant for accreditation must, in the RAP's opinion:

- be of good character; and
- possess personal qualities and experience appropriate to conducting mediations or other dispute resolution processes independently, competently, and professionally.

The applicant must:

- provide written references that attest to the applicant's good character, from two members of the applicant's community who have known the applicant for at least 3 years; or
- satisfy the RAP that the applicant has already fulfilled this requirement under a comparable accreditation standard.

The applicant must disclose any:

- disqualification from any type of professional practice.
- unspent criminal conviction.
- impairment that could influence their capacity to discharge their obligations in a competent, honest, and professional manner.
- refusal of accreditation or accreditation-renewal.
- suspension or cancellation of accreditation.

The character, references and disclosure requirements can be satisfied by the applicant by providing a declaration to the RAP in the appropriate terms that they have satisfied the accreditation and/or renewal requirements.

C. Payment

An applicant for accreditation must pay the registration fee for listing on the National Register.

D. Membership of Recognised Accreditation Provider or equivalent organisation

An applicant for accreditation must become and remain:

- a member, or employee, of a Recognised Accreditation Provider; or
- a member or employee of an equivalent body or organisation approved by the Board

³ Clause 35-43 of AMDRAS

that has:

- an appropriate ethical code or standard, and
- a complaints and disciplinary procedure that adequately addresses complaints against dispute resolution practitioners.

E. Privacy consents

An applicant for accreditation is taken to (and if requested, must expressly) consent to:

- their personal information being disclosed to the Board or relevant AMDRAS-related entity; and
- their name, registration status and accreditation body released on the AMDRAS National Register; and
- the Board or entity releasing the information to other AMDRAS-related entities (but to no-one else without the consent of all parties concerned).

F. Insurance

An applicant for accreditation or renewal of accreditation must:

- be covered by professional indemnity insurance commensurate with their level of accreditation under AMDRAS; or
- have statutory immunity from liability or
- have been granted a non-practising certificate.