

IPMO RULES

Rules approved by the Board of directors on January 17th 2022 in accordance with the Company's Articles of Association, and will be reviewed no later than December 31st 2022.

DEFINITIONS

For the purposes of this Code, Mediation is defined in accordance with section 2 (1)(o) of the Mediation Act 2017; as a confidential, facilitative and voluntary process in which parties to a dispute, with the assistance of a mediator/s, attempt to reach a mutually acceptable agreement to resolve the dispute.

'IPMO' Irish Professional Mediators' Organisation CLG

An 'IPMO Mediator' (also called a Mediator within these Rules) is one:

- whose competency in the practice of mediation has been certified by IPMO, and
- who is authorised by IPMO to use the IPMO name and logo, and whose Profile is included on the IPMO web portal at: <http://www.theipmo.ie>

A 'Mediation Settlement' means an agreement in writing reached by the parties to a dispute during the course of a mediation and signed by the parties and the mediator.

The following additional definitions apply:

- 'AGs' Aspirational Goals
'NQ' IPMO Newly Qualified Mediator (Qualified level NQ)
'Q' IPMO Qualified Mediator (Qualified level Q)
'PSG' Peer Support Group
'CPD' Continuing Professional Development

1 MEMBERS

1.1 In accordance with Article 8 (a) of the Articles of Association applications for admission to membership of the Company shall be made to the Board accompanied by such information as the Board may require from time to time, which will be set out in the Membership Application Form. The Board shall have full discretion, subject to the Articles of Association of the Company and the IPMO Rules, to determine admission to membership of any Applicant and in making decisions determining admission may reference the professional standards of the Company as set out in Article 4 of the Articles of Association.

1.2 IPMO members must be resident in Ireland.

- 1.3 IPMO members, if currently practicing as a mediator, must have appropriate professional indemnity insurance and may be asked to provide a copy of their insurance certificate.
- 1.4 All members agree to be bound by the Governance documents of the Company, which may be revised from time to time, such documents to include the IPMO Constitution, the IPMO Code of Professional Practice, the IPMO Complaints Procedure, any IPMO Practice Area Specific Codes of Practice and the IPMO Rules.
- 1.5 Members agree to maintain a CPD log to demonstrate a minimum of 20 hours relevant CPD activity of their choosing per year. A random selection of members will be asked to provide their log for inspection on renewal of membership.
- 1.6 Members agree to maintain an anonymized case log. This case log to be used to establish that the required number of cases/hours have been completed when seeking a higher professional membership designation. The case log should have the following headings; Case reference, type of mediation, number of parties, sole or co-mediation, number of session hours in-person/online, number of hours spent on preparation/phone-calls/emails/drafting, date mediation ended, mediation settlement reached yes/no.
- 1.7 Members agree to comply with the provisions of the Mediation Act 2017, as amended, where compliance is required under the Act, any Regulations introduced by the Minister and any mandatory requirements of the Mediation Council of Ireland, once established.
- 1.8 Members agree to undertake any mandatory training required by IPMO or by the Mediation Council of Ireland specific to areas of practice.
- 1.9 Members agree that all sample documents/agreements, power-point slides or any video resource provided by IPMO to members are the property of IPMO, unless expressly stated otherwise, and will not be shared with any person who is not a member of IPMO.
- 1.10 A member may resign at any time by giving notice in writing to the company by post to: The Irish Professional Mediators' Association CLG, Suite 9, Wallace House, Canada Street, Waterford X91 NX78 or by email to info@theipmo.ie. A person who is no longer a member may not continue to use the IPMO logo on their email, website or any other documentation.
- 1.11 Any member who is more than 12 months in arrears in paying their annual subscription will automatically cease to be a member.
- 1.12 A person who has ceased to be a member may be re-admitted by the Board at any time subject to any conditions that may be set by the Board.
- 1.13 A member may be liable to disciplinary action as set out in Article 32 (a) (i) – (v) in the Company's Articles of Association, and all members agree to co-operate with the Board and

the committees appointed by it in the administration and conduct of the Company's Complaints Procedure and Disciplinary Process.

- 1.14 Member information is held by the Company in accordance with the IPMO Data Protection Policy and by joining, members consent to their data being held by the Company for the purpose of operating a membership body. Members must ensure that their personal information held by the Company is up-to-date, in particular their email and contact phone number. It is the responsibility of members to put up and manage their profile on the IPMO website, and to protect their username password and login details. Members must commit to upholding the best standards of integrity, professionalism, confidentiality, propriety, objectivity and fairness.

2 Categories of Membership and Affiliation

2.1 Applicants who wish to be accredited as IPMO Qualified Mediator NQ must:

- be resident in Ireland, and
- have professional indemnity insurance, and
- demonstrate they have successfully completed foundational mediation training recognized or accredited by IPM.

Upon registration an IPMO Qualified Mediator NQ must:

- secure a Mentor who must be an IPMO Q or Certified member
- maintain a CPD log and demonstrate a minimum of 20 hours relevant CPD activity of their choosing each year. CPD may include role-play, reading, training, presentations/attendance at a Peer Support Groups or conferences/seminars, and either
- engage in a Supervision Programme accredited by IPMO, **OR** work with an IPMO approved Supervisor, **OR** work with an experienced IPMO approved Co-Mediator (Q or Certified), until they are eligible to apply for Qualified Mediator Q status.

NQ members may co-mediate in the practice areas of family, workplace or victim offender mediation where their co-mediator (Q or Certified) has completed the required specialist training. NQ members may only offer their services as a sole mediator with the approval of an IPMO approved Supervisor, and subject to completing any relevant mandatory training requirements for specialist areas of practice.

2.2 Applicants who wish to be accredited as IPMO Qualified Mediator Q must:

- be resident in Ireland, and
- have professional indemnity insurance, and
- demonstrate they have successfully completed foundational mediation training recognized or accredited by IPMO, and
- complete the IPMO Accreditation Questionnaire and be available for a discretionary interview by the Accreditation Committee, and either
- have completed an approved IPMO Supervision/Supervisor Programme, **OR**
- be an IMI Qualified Mediator and have completed 5 real cases or 50 hours, **OR**
- have completed 5 real cases or 50 hours sole and/or co-mediation

Upon registration an IPMO Qualified Mediator Q must:

- secure a Mentor who is an IPMO Certified member.
- maintain a CPD log and demonstrate a minimum of 20 hours relevant CPD activity of their choosing each year. CPD may include role-play, reading, training, presentations/attendance at a Peer Support Groups or conferences/seminars, and
- complete any mandatory training if intending to practice in a specialist area, and
- volunteer as a Mentor to at least one NQ member.

2.3 Applicants who wish to be accredited as an IPMO Certified Mediator must:

- be resident in Ireland, and
- have professional indemnity insurance, and
- demonstrate they have successfully completed foundational mediation training recognized or accredited by IPMO, and
- complete the IPMO Accreditation Questionnaire and be available for a discretionary interview by the Accreditation Committee, and either

- be an IMI Certified Mediator and have completed 20 real cases or 200 hours, **OR**
- have completed 20 real cases or 200 hours sole and/or co-mediation.

Upon registration an IPMO Qualified Mediator Q must:

- secure a Mentor who is an IPMO Certified member with greater expertise/specialist knowledge **OR** a mediator of international standing.
- maintain a CPD log and demonstrate a minimum of 20 hours relevant CPD activity of their choosing each year. CPD may include role-play, reading, training, presentations/attendance at a Peer Support Group or conferences/seminars, and
- complete any mandatory training if intending to practice in a specialist area, and
- volunteer as a Mentor to at least one NQ or Q member.

2.4 If an IPMO member leaves professional mediation practice for a period of 2 or more years and wishes to re-enter practice at their previous professional designated membership level they must undertake a supervision programme as set out below in Clauses 4.2-4.4.

2.5 Persons or bodies who wish to be accredited as an IPMO Friend may be conferred an affiliate status and may include: those studying to become mediators, or practice mediation in another country, or support the aims of IPMO. IPMO Friends are not members of the Company but will receive some updates and will have access to some IPMO events and may participate on Specialist Panels.

2.6 Annual subscriptions are:
€ 60 for IPMO Friend,
€ 150 for IPMO Qualified Mediator NQ
€ 200 for IPMO Qualified Mediator Q
€ 250 for IPMO Certified Mediator

As provided in the Constitution annual subscription fees fall due on January 1st and are payable in advance for the year. Members should discharge their fees no later than January 31st. Where an existing member does not pay their subscription fee by January 31st in any year, their membership may be suspended and their profile on the IPMO website will be deactivated. New members joining after June 30th in a given year will pay 50% of the annual membership fee applicable to the category of membership applied for, with full annual membership coming due on January 1st in the subsequent year.

2.7 IPMO Membership subscriptions will be used to pay the annual operational costs of the Company and where basic operational costs are met, with some reserves set aside, the Board has discretion to use funds to promote the objectives of the Company which may include, inter

alia, providing free or low-cost CPD for members or discharging venue/speaker costs for seminars/conferences.

- 2.8 In accordance with Article 7 of the Articles of Association the holding of any of the following categories of membership, namely IPMO Qualified NQ, IPMO Qualified Mediator Q and IPMO Certified Mediator, may be referred to by that person for so long as such category of membership is held by that person and where that person is registered as a member.

3 COMMITTEES

- 3.1 Committees or Specialist Panels may be established by the Board of directors from time to time, who will set out or approve the committee's Aspirations and Goals, 'AGs', and delegated functions, in accordance with Article 18 of the Articles of Association of the Company.
- 3.2 Each committee will have at least one director as a member. The Director who convenes a committee for a designated area of responsibility will automatically be the Chair of the Committee and will submit proposals to the Board for approval for the appointment of the Deputy Chair and committee members.
- 3.3 In selecting committee members the Chair agrees to be mindful of the Company's diversity policy and will endeavour to select members from a range of backgrounds and professional disciplines both legal and non-legal. Diversity means that the Irish Professional Mediators' Organisation and its committees should reflect the ethnicities, social demographics, cultural insights and values of Ireland's population.
- 3.4 Committees will be comprised of a maximum of 6 members, excluding the Chair and meetings will usually take place online.
- 3.5 The Deputy Chair may assist with meetings or chair the meeting when the Chair is unable to attend.
- 3.6 Committee members must be IPMO members or an Affiliate IPMO friend.
- 3.7 The Board must approve the members of a committee before the Chair convenes the first meeting. New committee members must be approved by the Board before they attend a meeting. A minimum of 8 meetings shall be convened in a calendar year.
- 3.8 At the start of each year committees with designated areas of responsibility will submit their proposed Aspirational Goals 'AGs', to the Board for approval unless the Board sets the AGs.
- 3.9 The Committee may meet with relevant stakeholders or organisations and any such meetings must be minuted and a copy provided to the Chair of the Board.
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- 3.10 Committees do not have the authority to make decisions or to action items on practice or policy or to enter into any form of agreement with stakeholders without the approval of the Board.
- 3.11 The Chair of each committee should ensure that succinct minutes are taken of all meetings and should periodically provide a report to the Board, or when requested to do so.
- 3.12 Committee Reports should be provided to the Chairperson of the Board at least 5 days in advance of the next scheduled board meeting, any Report received after this deadline will automatically be tabled for the following board meeting unless the matter requires the urgent attention of the Board.
- 3.13 Where a committee member fails to attend 3 consecutive meetings and no reasonable explanation is provided, that person will no longer be a Committee member and a replacement may be appointed.
- 3.14 The committee Chair may request that the Board establishes a **Specialist Panel** in accordance with Article 18 of the Articles of Association of the Company, to assist a committee in their work.
- 3.15 **Specialist Panels**; as provided in Article 18 of the Company's Articles of Association, may only be established by the Board, or with the approval of the Board, where the Board believes that the establishment of a panel is conducive to furthering the aims and purpose of the Company. Where a Chair of a Committee wishes to propose setting up a Specialist Panel they must provide terms of reference and the anticipated term of the Specialist Panel to the Board for approval. A Specialist Panel must be chaired by a Director of the Company. Panelists do not have to be members or affiliates of IPMO. Panelists will be provided with the terms of reference and will be informed that the output is a Report to the Board summarizing the contributions.

4 SUPERVISION

- 4.1 Members who are IPMO Qualified Mediator NQ must engage in a Supervision Programme accredited by IPMO, or be supervised by an IPMO approved Supervisor, or work with an experienced co-mediator within 6 months of becoming a member. The aim of supervision is to support a newly qualified member to transition from theory to professional practice as a mediator.
 - 4.2 **Supervision Programme**; must comprise of at least 10 hours of supervision sessions, with additional hours of directed reading and exercises, over a 12 month period to include the following elements:
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- Guidance on possible mediation model
- Exploration of advanced mediation skills
- Getting work as a mediator and handling the initial enquiry
- Mediation sessions, sole, joint and shuttle; how to decide
- Communication between sessions
- Creation of case file notes
- Liaising with a legal adviser for a party, where a party is legally represented.
- Understanding the operation of Section 11 of the Mediation Act 2017.
- Managing client relationships, including managing angry or difficult clients
- Framework for personal and professional goals

By way of:

- a) Inter-active supervision, one on one or in a group session, or a combination of the aforementioned, delivered face to face or via an online platform, and
- b) Observation and discussion of ADR videos, and
- c) Observation/Co-Mediation/Sole Mediation of 5 Roleplays, analysis and feedback

Supervision Programmes must be accredited by IPMO. Successful completion entitles a member to apply for IPMO Qualified Q status.

4.3 **Supervisor:** An IPMO member who has attained Q or Certified status can act as a Supervisor for a newly qualified mediator.

A Supervisor must offer the following elements over a minimum of 10 hours:

Direct supervision, delivered face to face or via an online platform to include:

- Guidance on the mediation model that the Supervisor uses
- Exploration of advanced mediation skills
- Getting work as a mediator and handling the initial enquiry
- Mediation sessions, sole, joint and shuttle; how to decide
- Communication between sessions
- Creation of case file notes
- Liaising with a legal adviser for a party, where a party is legally represented
- Understanding the operation of Section 11 of the Mediation Act 2017.
- Managing client relationships including managing angry or difficult clients,
- Framework for personal and professional goals

A Supervisor must also facilitate an NQ in completing the following:

- a) **Observing a case** and writing an anonymised case report using the Case Report form and discuss with Supervisor, and

- b) **Co-Mediating a case with the Supervisor** and write an anonymised Case Report using the Case Report form and discuss the case with Supervisor

OR

Mediating as a sole mediator and complete 2 cases (subject to having the required mandatory training, if family or workplace) with the approval of the Supervisor and write an anonymised case report on each case using the Case Report Form and discuss with Supervisor.

Furthermore, any involvement, observations, attendance would have to be with the express consent of the parties obtained in advance and the parties should not feel pressure to agree.

The Supervisor will write an evaluation for the NQ (on the Evaluation Form) and will set out recommendations for further reading or training that would assist the member's development.

A Supervisor will set their own fees and the service should be set out in a contract between the parties. For a co-mediated case the Agreement to Mediate should refer to the Supervisor as the "Lead Mediator" and the NQ as the "Co-Mediator". The Supervisor, as part of their supervisory role, must confirm to IPMO when the member has successfully completed the Supervision process.

- 4.4 **Supervision by Co-Mediation:** an NQ may alternatively satisfy the requirement for supervision by working with an experienced co-mediator who is a Certified member. The NQ member must co-mediate 5 real cases or complete 50 hours of co-mediation sessions with clients (online or face-to-face), to include all work undertaken or hours spent by the NQ under the direction of the Lead Mediator, from the opening to the closing of the file and set out in the NQ's mediation log. The Certified member who offers supervision by co-mediation may agree their own financial arrangements with the NQ member, and the arrangements agreed should be set out in a contract between them. In the Agreement to Mediate the Certified member should be referred to as the "Lead Mediator" and the NQ as the "Co-Mediator". When the supervision is completed the Lead Mediator will sign the case log for the member and write an evaluation (on the Evaluation Form) setting out recommendations for further reading or training that would assist the members development.

Furthermore, any involvement, observations, attendance would have to be with the express consent of the parties obtained in advance and the parties should not feel pressure to agree.

5 MENTORS

IPMO recognises that mentoring is an important part of ongoing professional development, and all members are required to have a Mentor. Mentors must be at least one level higher than the Mentee within IPMO (excluding Certified members). Where the IPMO member holds Certified status their Mentor can be a Certified member with greater expertise or specialist knowledge who offers support, or a mediator of international standing. All IPMO members who are Q or Certified level must volunteer to be a mentor to at least one IPMO member. At the start of each year members will select a new mentor, unless their existing Mentor agrees to continue as their Mentor for a maximum of one further year.

A Mentor should periodically have a discussion with the mentee, on the phone, via an online platform or face to face, at least twice a year. This is a voluntary role and no fees should be charged, unless the mentor is external to IPMO and wishes to charge a fee for their time and the Mentee agrees to pay the same.

The role of a Mentor is:

- a) to support the professional development of the Mentee
- b) to assist the Mentee to periodically reflect on their professional practice
- c) to share knowledge skills and experience

While a member is engaged in a Supervision Programme, that Supervisor may not act as their Mentor until the member has completed that programme.

6 PEER SUPPORT GROUPS

6.1 Peer Support Groups 'PSGs' are optional for members as part of their annual CPD requirement. Any member who wishes to set up a Group can post an invitation to other members on the Discussion Boards in the member forum. PSGs should aim to have at least 5 members and can meet online or in person. Once members have formed a PSG they should elect a Chairperson who will then notify the IPMO Member Liaison and the list of members should be provided. The Chairperson must ensure that: an Agenda is circulated a week before any meeting, that an attendance record is kept and that minutes are taken of each meeting. A PSG should agree a new Chairperson at least every year. The Member Liaison may from time to time request copies of the minutes or the Company may require copies of recorded attendance to evidence CPD. PSG meetings may include the following:

- a) A case presentation: where a member presents on a case they have completed and the group discuss. No identifying information should be disclosed.
- b) A review of a published article or book relevant to mediation: where a member presents a summary and the group discuss.
- c) Practice issue: where a member encounters a difficulty in a case they are working on they may raise the issue for discussion, provided that no identifying information is disclosed to the group.
- d) Member Resources: where the group discuss sample documents or practice notes.
- e) Mediation Models: members may discuss what mediation model or models they use and why.

- f) Practice areas: where a member may raise a topic for discussion specific to a specialist practice area.
- g) Roleplay: where one member prepares a Roleplay, a member acts as the Mediator (or two may be co-mediators), two members are the clients, and the group discuss.
- h) Feedback to the Member Liaison: where members may submit feedback or suggestions to the Member Liaison to raise with the Board.

7 THE BOARD

7.1 **Directors** duties, obligations, powers, proceedings, term of office and election procedures are set out in Articles 19 – 26 of the Company's Articles of Association.

7.2 **The Chairperson** is the public spokesperson for the organisation, is responsible for the leadership of the board, and will ensure its effectiveness on all aspects of its role. The Chairperson will: convene Board meetings, set the board's agenda and ensure that adequate time is allocated for discussion of all agenda items including strategic issues. The Chairperson will also assist with the work of the Member Liaison and may take on practice area or organisational tasks when required. The Chairperson also has overall responsibility to ensure:

- a) That the organisation is accountable and compliant with the law
- b) That the organisation acts in the best interests of its members
- c) That the organisation is carrying out its core objectives as set out in the Constitution
- d) That the organisation manages its resources responsibly
- e) That the organisation acts with reasonable skill and care
- f) That the organisation is compliant with any relevant legislation such as health and
- g) safety, data protection legislation and employment legislation.

7.3 **The Deputy Chair** of the Board of Directors will stand in for the Chairperson in the event that he/she is unable to attend a meeting or an event and over-see the administration of the organisation.

7.4 **The Treasurer** is responsible for ensuring that the finances of the organisation are in good order and that all accounting records are maintained adequately in relation to;
a) all sums of money received and expended by the Company and the matters in respect

of which the receipt and expenditure takes place;

b) all sales and purchase of goods by the Company

c) the assets and liabilities of the company.

The Treasurer may convene a finance committee to assist with maintaining account records and financial planning for the organisation and will provide a Report to the Board for each Board meeting.

7.5 **Member Liaison** is a role held by a Director of the Company. The objective of this role is to liaise with members collectively and individually as needed to assist the Board in understanding members interests. Consultations with members will take place at least every 3 months via an online platform, the meetings will count towards annual CPD, comprising of briefings in relation to professional practice and Q&A sessions based on topics communicated by members ahead of and during any such meeting.

7.6 The following committees were established at the inaugural Board meeting in October 2021:

- Accreditation Committee
- Standards & Practice Committee
- Family Mediation Committee
- Civil & Commercial Practice Committee
- Workplace Mediation Committee
- Victim Offender Mediation Committee
- Community Mediation Committee

Any director may put their name forward for the role of Chair of a committee where that role becomes vacant and the appointment is decided by a simple majority of votes at a Board meeting, with the Chairperson having a casting vote in accordance with Article 26 of the Articles of Association of the Company. Once appointed, the Director may hold this role for their term of office on the Board.