

**The Profile of the Mediator**

Code: 44688  
ECTS Credits: 10

Degree	Type	Year	Semester
4317933 Mediation in Families and in Private Law	OB	0	1

## Contact

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## Teaching groups languages

You can check it through this [link](#). To consult the language you will need to enter the CODE of the subject. Please note that this information is provisional until 30 November 2023.

## Prerequisites

There are no prerequisites

## Objectives and Contextualisation

This module aims to acquire the skills and psychosocial bases necessary to intervene in mediation, taking into account the requirements of the context and the legal and administrative framework linked to the act of mediation. Likewise, it also aims to understand the role of the mediator and the code of ethics and apply techniques and strategies (of communication, negotiation and mediation) to know how to manage and develop efficient and effective mediation.

## Competences

- Carry out collaborative negotiation processes correctly and identify the attitudes and behaviour of the other party.
- Communicate clearly, persuasively and unambiguously to both expert and non-expert audiences.
- Identify and apply the basic and general principles of the legal system in different socio-educational mediation actions.
- Plan and carry out research and disseminate the culture of mediation.
- Show a commitment to ethics and gender in mediation.
- Solve problems in new or little-known situations within broader (or multidisciplinary) contexts related to the field of study.
- That students have the learning skills that enable them to continue studying in a way that will be largely self-directed or autonomous.

## Learning Outcomes

1. Analyse and interpret information systematically.
2. Apply strategies to generate a climate of respectful, pleasant and stimulating dialogue.
3. Apply the current regulations concerning mediation to the different mediation actions.
4. Demonstrate a good knowledge of verbal and non-verbal language (gestures, tone of voice, facial expressions, etc.) and adapt them in each situation.
5. Demonstrate a positive and respectful attitude towards the rest of the team and /or clients.
6. Identify the options for mediation in complex contexts.
7. Identify the regulatory and legal context of different areas of mediation.
8. Listen actively to improve, evaluate and taken fair and coherent decisions in favour of the common good.
9. Produce and communicate a report of the results.
10. Recognise and express opinions assertively and respectfully.
11. Respect the opinions, values and cultures of the rest of the team and/or clients.
12. Show a respectful and tolerant attitude in the face of diversity of clients and professionals.
13. Systematicall review production, tasks and activities that are carried out individually and in groups.

## Content

- Profile of the mediator. Techniques, functions and competencies necessary to develop an effective mediation.
- The communication. Type of communication (verbal, gestural, graphic etc.), the elements that facilitate and hinder communication, communication process, phases, techniques and skills for assertive communication.
- The legal regulation of mediation. Catalan, Spanish and European legal framework.
- The figure of the mediator. Rights and duties.
- The service provision contract and its specificities.

## Methodology

This module is developed through directed, supervised and autonomous activities that are characterized by:

- Presentations with invited experts
- Solving cases, exercises and practical problems in person and virtually
- Problem simulation and role playing
- Forums and debates
- Tutorials
- Personal study
- Reading articles and reports

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

## Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Directed activities	75	3	1, 3, 2, 4, 5, 7, 9, 12, 10, 11

Type: Supervised			
Supervised activities	37.5	1.5	1, 3, 7, 6, 13
Type: Autonomous			
Autonomous activities	137.5	5.5	1, 3, 2, 4, 5, 7, 9, 8, 6, 12, 10, 11

## Assessment

This module will be evaluated according to the following evidence:

- Attendance and active participation in the forums and/or conferences and complementary activities (critical reflection, writing with contributions from the conference to the professional practice of mediation, etc.).
- Delivery of case resolution exercises.
- Delivery of reports/work.
- Tests.

The module grade will be established following the proportions detailed in the evaluation activities table. The delivery of exercises, reports, assignments and/or tests will be specified at the beginning of the module.

There will be a qualification for the more legal aspects and mediation practice (including some exercises and written tests) and another for the more psychosocial aspects.

The qualifications of each of the assessment activities will be published in the 20 days following the delivery. Students wishing to review the results must do so within 15 days after their publication.

All those students with a successful follow-up of the subject and with some pending assignment will be allowed to pass the subject though the redesign or improvement of those failed assignments.

Copy of any part of an assignment, essays or examinations constitute a crime that can represent to suspend the subject (more information in: [http://wuster.uab.es/web\\_argumenta\\_obert/unit\\_20/sot\\_2\\_0\\_1.html](http://wuster.uab.es/web_argumenta_obert/unit_20/sot_2_0_1.html)).

In all the activities (individual and in group) the linguistic correction, the writing and the formal aspects of presentation will be taken into account. Students must be able to express themselves fluently and correctly and must show a high degree of understanding of academic texts. An activity can be returned (not evaluated) or suspended if the teacher considers that it does not meet these requirements. For this reason, before submitting a learning evidence, check that the sources, notes, citations and bibliographic references have been correctly written following the APA regulations. and according to the documentation that is summarized in UAB sources: [https://ddd.uab.cat/pub/recdoc/2016/145881/citrefapa\\_a2016.pdf](https://ddd.uab.cat/pub/recdoc/2016/145881/citrefapa_a2016.pdf); <https://www.uab.cat/web/estudia-i-investiga/com-citar-i-elaborar-la-bibliografia-1345708785665.html>

To pass this subject, an attitude compatible with the mediation profession must be demonstrated. Therefore, it will be valued that the student shows good general communicative competence, both orally and in writing. Likewise, they must show attitudes of active listening, participation, empathy and respect throughout the course. Other skills such as: active listening, respect, participation, cooperation, empathy, kindness, punctuality, not judging, arguing, proper use of mobile phones and computers will be taken into account.

### SINGLE EVALUATION

The evidence of the evaluation must be delivered in the last scheduled session of the module. This assessment includes:

- Written exam that includes all the contents of the module (45%).
- The development of a portfolio with the collection of evidence of activities carried out throughout the module (45%).
- The presentation/oral defense of the evidence collected in the portfolio (10%).

To pass the subject, a minimum score of 5 must be achieved in each of the evidence of the single assessment.

The same recovery system will apply as for the continuous assessment.

The review of the final qualification follows the same procedure as for the continuous assessment.

## Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Attendance and active participation	10%	0	0	2, 4, 5, 8, 12, 11, 13
Case resolution exercises	45%	0	0	1, 3, 7, 9, 6
Work assignments/final report and/or test	45%	0	0	1, 3, 2, 4, 7, 9, 8, 6, 12, 10, 13

## Bibliography

Serrano, S. (2003). *El regal de la comunicació*. Ara Llibres

Suares, M. (2005). *Mediación. Conducción de disputas, comunicación y técnicas*. Paidós.

Ury, W. (2012). *Supere el No. Como negociar con personas que adoptan posiciones inflexibles*. Gestión 2000.

Usmanova, E., Khokhlova, E., & Fedoseev, R. (2021). Mediation and communication practices in education. *Revista Tempos e Espaços em Educação*, 14(33), e16562. <http://dx.doi.org/10.20952/revtee.v14i33.16562>

## Software

It does not require specific software