



# Chartered Institute of Arbitrators

## 40 Hour Commercial Mediation

### Training and Accreditation

(Module 1) November 2024



The Chartered Institute of Arbitrators, Kenya Branch will conduct five (5) days Commercial Mediation training commencing on **Wednesday 20<sup>th</sup> to Friday 22<sup>nd</sup> November 2024** and **Monday 25<sup>th</sup> to Tuesday 26<sup>th</sup> November 2024**. Senior practicing Mediators with wealth of experience will conduct the training. The accreditation program will commence immediately after the training between **Wednesday & Thursday 27<sup>th</sup> & 28<sup>th</sup> November, 2024** respectively.

#### What is the aim of the Course?

This course is aimed at candidates who wish to become CI Arb Members and eventually Accredited Mediators. It is also beneficial to those who wish to use or sharpen their mediation skills in their current profession.

Under Article 159 (2)(c) of the Constitution of Kenya, mediation under ADR is recognized as a mechanism of resolving disputes in Kenya. The Judiciary of Kenya, under the Court-Annexed Mediation Scheme, commenced its pilot project on 4<sup>th</sup> April, 2016 in Nairobi. The Scheme has since been rolled out. The Mediation Accreditation Committee (M.A.C.) which is vested with accreditation authority maintains a list of accredited mediators. For the scheme to work, the Judiciary requires not less than Two Hundred trained mediators. The training threshold is the five day – 40 hour mediation Course, equivalent to our Module 1. We encourage members of professional institutions dealing with family or commercial related disputes to apply so as to have more Mediators join the Scheme.

This course comprises of 5 full days of skills-based learning delivered by a practising and experienced mediators followed by an accreditation assessment program. Mediation has been shown to be an effective method of solving complex commercial disputes as well as a skill that can have a positive impact on personal relationships. This course provides candidates with the appropriate skills set and can lay the foundation for building an independent ADR practice. It is, therefore, suitable for:

- Individuals looking to improve their communication skills, including building rapport and listening skills.
- Arbitrators/adjudicators looking to broaden their ADR practice offering;
- Conflict resolution professionals;
- Aspiring mediators;

#### Venue

The Training and assessments will be in-person unless otherwise communicated.

#### What are the learning outcomes?

On successful completion of this course candidates will be able to:

- Define mediation and explain its place in the context of other forms of dispute resolution;
- Explain the process, procedure, its advantages and disadvantages;
- Demonstrate competence in the mediator's core skills;
- Demonstrate that they can manage mediation.

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Contact Us: To register for a course or for more information, please contact the Course Administrator, Chartered Institute of Arbitrators, Kenya P.O. Box 50163 – 00200 NAIROBI

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## What is covered within the syllabus?

Through the use of case studies, you will learn and gain practical experience of the skills and techniques required to manage mediation from initial instruction to conclusion including:

- The core skills;
- Preparing stage – setting it up;
- Opening stage – parties telling their stories;
- Exploring stage – establishing parties' needs and drivers;
- Negotiating stage;
- Concluding stage;
- Setting up a mediation practice;
- An overview of the English Legal System.

## How is the course delivered?

The course is delivered over 5 days, with a combination of training and role play exercises. The course dates advertised are the dates of the course when candidates will be required to attend in-person sessions.

## How will I be assessed?

The assessment is Commercial Mediation Accreditation Assessment. Details of the assessment are as follows:

- Candidates will participate as a Mediator in two mock-mediations of one-hour duration and may be involved in role-playing as clients.
- Candidates will be assessed in three categories: people skills, process skills and the management of the mediation.
  - » People Skills  
This category concerns the relationship between the mediator and the participants in the mediation. Building a trusting relationship is essential for an effective mediator. Being competent in this category is mandatory in both role plays.
  - » Process Skills  
This category concerns the mediator's ability to use the skills and techniques emphasised on the training course. Competent mediators use a variety of appropriate skills to establish parties' needs and help them towards settlement.
  - » Management Skills  
This category concerns the firm and tactical use of the process and skills. Competent mediators create an environment to give the parties the best opportunity of achieving a settlement.
- This assessment is on a pass or fail basis. Candidates must achieve 'COMPETENT' in people skills in both mediations and in process skills and management skills at least once in either of their mediations. Candidates who fail the assessment will only be required to re-sit the assessment.

Results are dispatched to candidates normally eight to twelve weeks from the date of the assessment.

## What are the entry requirements?

The course is intended for candidates who:

- are new to the field of mediation but have passed the Introduction to mediation course;

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- wish to learn more about mediation and its benefits to users;
- are aspiring to be a mediator or a conflict resolution professional;
- are arbitrators looking to broaden their ADR service offering;
- wish to join the membership of the CIArb;
- wish to eventually become a CIArb Accredited Mediator.

English Language Competence- CIArb training and assessment is carried out in English it is therefore essential that candidates are proficient in both written and spoken English.

**What is the course fee and what does it include?**

The course and assessment fee is Kshs 120,000/= (Kenya Shillings One Hundred twenty Thousand Only). The fee includes registration on the course, study materials, lunch and refreshments throughout the 5 day training and during the assessments. This can be paid in installment as long as the full amount is paid by **Friday 25<sup>th</sup> October, 2024**. The Training Fess for the Five days without the oral Accreditation Assessments is **Kshs 50,000/-**.

**What happens when I register for the course?**

Upon successful registration on the course, candidates will receive confirmation they are booked on the course. Joining instructions will be sent to candidates approximately 2 weeks before the course start date. In addition candidates will be sent a handbook & DVD and are advised to begin familiarizing themselves with the content before the course begins.

**What is CIArb’s policy on cancellation of courses?**

CIArb reserves the right to cancel or change the date, venue or content of programmes and the names of speakers, lecturers and Tutors. Candidates will be provided with adequate notice of any change. If CIArb has to cancel a course, candidates will be provided with a full refund or the opportunity to transfer their registration to the next course. Should a candidate wish to cancel their registration of a course, notification must be received in writing to [info@ciarbkenya.org](mailto:info@ciarbkenya.org). Cancellation charges apply.

**What is my next step when I complete the course?**

On successful completion of this course, candidates may progress onto Module 2 – Mediation under the Mediation Pathways.

**Applications**

The structure of the training provides for limited spaces and thus application will be received and accepted on first come first served basis.

Application forms can be obtained from Chartered Institute of Arbitrators (Kenya Branch) office or from our website [www.ciarbkenya.org](http://www.ciarbkenya.org).

Application forms together with the requisite course fee must be submitted on or before **Friday 25<sup>th</sup> October, 2024** to the following address: -

The Education & Programs Manager  
 Chartered Institute of Arbitrators (Kenya Branch)  
 Nicholson Drive, Off Ngong Road  
 P. O. Box 50163 – 00200,  
 NAIROBI



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Email: [info@ciarbkenya.org](mailto:info@ciarbkenya.org);

cc. [accounts@ciarbkenya.org](mailto:accounts@ciarbkenya.org)

Cellphone: 0722 200 496

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# MODULE 1 – [40 HOUR COMMERCIAL MEDIATION TRAINING & ASSESSMENTS] from 20<sup>th</sup>

November, 2024

## REGISTRATION FORM

Please complete all sections in BLOCK CAPITALS and return your completed form to:

CIArb Education & Programs Manager,  
Chartered Institute of Arbitrators Nicholson Court,  
Nicholson Drive, off Ngong Road  
P.O. Box 50163 – 00200 NAIROBI  
• E info@ciarbkenya.org  
• M +254 0722 200496/ 0734 652205 •

### PERSONAL DETAILS

Surname:	First Name:
Other Names:	Title:
Profession / Trade:	Gender:
<b>Date of Birth:</b>	Male:                      Female:
Address:                      Post Code:                      Town:                      Country:	
Physical Address:	
Email:	Cellphone:

Employer / Firm / Organization:

- (i) Bank Transfer                      Date                      mm / dd / yyyy  
Deposit
- (i) Cheque / Bank Draft

Please find enclosed a cheque / bank draft No:                      made payable to 'Chartered Institute of Arbitrators' for the amount:

Any costs arising out of unpaid or uncleared cheque will be met by the applicant.

### Cancellation charges will STRICTLY apply as follows:

#### Notice Prior to commencement of event

- Over Four weeks
- over two weeks
- Less than one week
- Those who wish to differ to the next training will have 10% of course/ assessment fees received deducted as differing charges.

#### Cancellation charges

- Full refund
- 50 % refund
- No refund

**If payment is made by bank transfer/ deposit, this should be made payable to the Chartered Institute of Arbitrators, Commercial Bank of Africa(CBA) , Mama Ngina Branch, Account Number: 6435390017 or Mpesa Paybill Number 975743 Account 40HRNOV**

Signature:

Date:

**Document Issued**

**DVD Issued**

Receipt No.:

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Receiving Officers Signature:.....

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