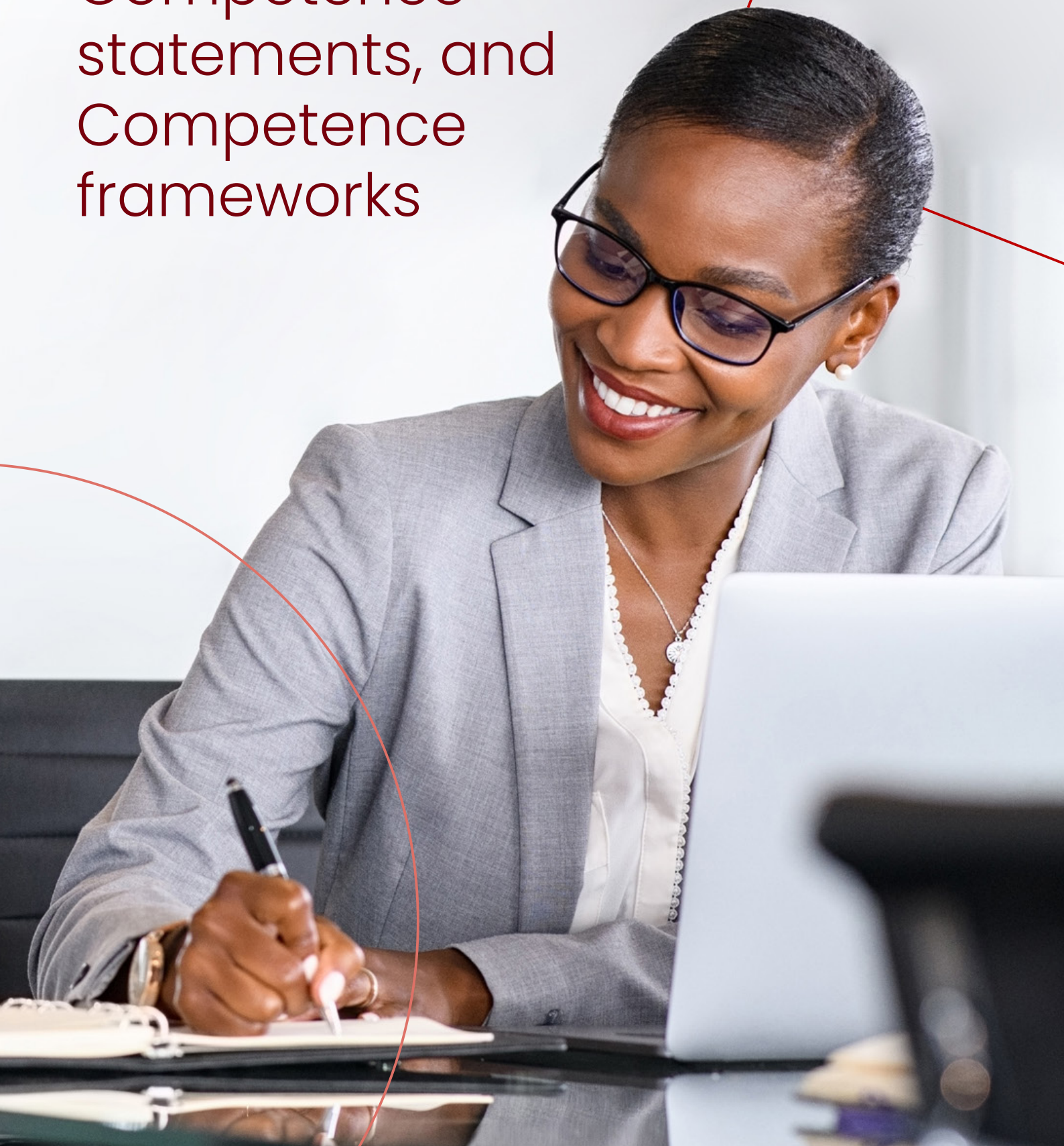


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Membership levels,
Competence
statements, and
Competence
frameworks



Section 1

A brief definition of terms

- A **'minimum competence statement'** articulates the minimum level of performance in relation to the competence framework required to achieve each membership level.
- A **'competence framework'** is an overarching summary of the scope of all the competences required in a particular role.
- The **'competences'** within the framework articulate the different areas of knowledge, skill and attribute required in the role.
- The **'indicators'** (the bullet points within each competence framework) specify action in observable, assessable form which (in combination) 'indicate' that someone is demonstrating competence to the level required by the Minimum competence statement.

NB: 'Neutral' role frameworks: The Ciarb frameworks relate to third-party neutral competence i.e., that of mediators, arbitrators, adjudicators, and those who act in all or any combination of these roles. As there are core areas of competence which are common to the different disciplines an overall Alternative Dispute Resolution competence framework has been created which brings together the core shared areas of competence across the different disciplines.

Most members at all levels are (or aspire to be) 'neutrals' and/or are trading on their understanding of the neutral role when acting in non-neutral roles.

Our members, as professionals, usually answer to professional standards (often in the form of a competence/competency framework) in their work in purely advisory roles (such as lawyer or surveyor). Therefore, these frameworks do not cover purely advisory competences.

Section 2

Why use competence frameworks?

Competence frameworks are multi-tools:

They **guide**

- Ciarb members and prospective members on what membership levels mean and how to attain the various levels.
- Alternative Dispute Resolution (ADR) service users so they know what to expect from a competent professional.

They **enable**

- practitioners to reflect for- in- and on- action in their ADR practice.
- practitioners identify areas for professional development.
- the design of the Ciarb curricula and learning delivery.

They **connect**

- members through common language and standards.
- members and users through clarity on what professional ADR practice 'looks like.'
- ADR practitioners from different disciplines and users globally to a common competence framework.
- They facilitate **training**, assessment, and qualification.
because they determine what participant needs to develop and demonstrate in relation to the competences to discharge their duty in the 'neutral' role.

Section 3

The minimum competence statements for the membership levels (approved by the Ciarb Board of Trustees in November 2022)

NB: These statements are detailed, back-end information. Headline information, particularly for use in communication will be simpler and use more 'demonstrative' language. For example, Chartered Status will be described as a mark of 'excellence.'

- An **Associate** has **demonstrated basic knowledge** of all areas of the ADR.
- A **Member** has **demonstrated** the **knowledge** required in all areas of the ADR competence framework to support the neutral (in at least one discipline).
- A **Fellow** has **demonstrated** the **knowledge, skills and attributes** required in all areas of the ADR competence framework as a neutral to run the ADR process independently (in at least one discipline).
- A **Chartered [Arbitrator/Adjudicator]** is a Ciarb Fellow, who has **demonstrated** the consistent application of the **knowledge, skills and attributes** required by the ADR competence framework in their **ongoing practice as an arbitrator or adjudicator**.



Section 4

Competence frameworks, minimum competence statements and indicators in different specialisms at the different Membership levels

The pages below cover all the competence frameworks with the Minimum competence statements for each membership level and the sample indicators corresponding to the level of competence required. The indicators are only a sample as the process of implementation will undoubtedly lead to refinements, additions, and removals.

Associates will enter through the online introduction to ADR – referencing the ADR competence framework. However, given that Branches deliver Introduction courses, Associate level frameworks have been provided for mediation, arbitration, and adjudication. These include the competence in relation to understanding all three disciplines.

The frameworks listed by discipline and are sequenced in the ascending order of competence membership level.



ADR framework for Associates

Minimum competence statement: An Associate has **demonstrated** basic **knowledge** of all areas of the ADR competence framework (Knows)

	1. ADR core process-specific areas	2. ADR Strategy and skill areas	3. Application of ADR knowledge, including professional practice including ethics
A. Process and Procedure Competences	A1. Ensures procedures and processes are appropriately set-up in accordance with the relevant rules and principles.	A2. Proactively, strategically, and effectively case manages at every stage.	A3. Differentiates between ADR roles and processes and proactively self-manages when switching role or process.
Indicators	<ul style="list-style-type: none"> - Identifies the difference between public and private dispute resolution. - Identifies the contractual basis for arbitration, mediation, and adjudication. - Recognises key rules and principles relevant to these disciplines. 	<ul style="list-style-type: none"> - Identifies the role of mediator, arbitrator, and adjudicator in case management. - Recognises typical process/procedure issues for adjudicators, arbitrators, and mediators. 	<ul style="list-style-type: none"> - Identifies the key features of arbitration, mediation, and adjudication. - Identifies typical features and responsibilities of arbitrators, mediators, and adjudicators.
B. People and Communication Competences	B1. Creates a safe, fair, inclusive, and process-appropriate environment.	B2. Actively communicates, listens, and engages effectively and process-appropriately with all participants.	B3. Complies with ethical and practice standards, and actively engages in reflective practice.
Indicators	<ul style="list-style-type: none"> - Recognises the concept of conflict of interest. - Identifies key factors in each discipline in ensuring safe, fair, inclusive, and procedure-appropriate interaction. 	<ul style="list-style-type: none"> - Identifies key communication skills required by arbitrators, mediators, and adjudicators. - Recognises differences and limitations to interaction with participants in the different disciplines. 	<ul style="list-style-type: none"> - Recognises the Ciarb ethical and practice standards. - Undertakes to adhere to the Ciarb ethical and practice standards. - Completes a reflective practice exercise.
C. Outcome Competences	C1. Effectively gathers, analyses, and uses information and evidence, relevant legal and other principles to assist the parties' dispute resolution.	C2. Effectively applies strategies and skills for managing information, evidence, and witnesses/experts as appropriate to the ADR discipline.	C3. Effectively discharges responsibility in relation to outcome as appropriate to the ADR discipline.
Indicators	<ul style="list-style-type: none"> - Identifies what is considered relevant information in diverse types of ADR. - Recognises core legal principles relevant to mediation, arbitration, adjudication. 	Identifies the key elements of the distinct roles of mediators, arbitrators, and adjudicators in managing information, evidence, and participation.	<ul style="list-style-type: none"> - Identifies the role of the arbitrator, mediator, and adjudicator in the outcome. - Recognises core outcome features and global variation in practice.

Mediation framework for Associates

Minimum competence statement: An Associate has **demonstrated** basic **knowledge** of all areas of the ADR Competence framework. (Knows)

A. Process and Procedure Competences	A1. Creates and maintains a safe, flexible, and fair process.	A2. Manages the mediation process proactively.	A3. Differentiates between ADR roles and processes and proactively self-manages when switching role or process.
Indicators	<ul style="list-style-type: none"> - Identifies the difference between public and private dispute resolution. - Recognises the contractual bases for arbitration, mediation, and adjudication, - Identifies core principles and different forms of mediation. 	<ul style="list-style-type: none"> - Recognises core terminology and process stages of mediation. - Identifies the typical phases of a mediation and the role of process in creating alternative workable futures. 	<ul style="list-style-type: none"> - Identifies the difference between adjudicative and non-adjudicative processes. - Identifies the key features of arbitration, mediation, and adjudication. - Recognises typical features and responsibilities of arbitrators, mediators, and adjudicators.
B. People and Communication Competences	B1. Creates an environment enabling all participants to engage with the process.	B2. Builds and maintains interaction and communication with all parties throughout the process.	B3. Complies with equality, diversity, and inclusion (EDI), ethical and practice standards, and actively engages in reflective practice.
Indicators	<ul style="list-style-type: none"> - Recognises the concept of conflict of interest. - Identifies what appropriate interaction looks like and the duties of the mediator in its creation and maintenance. - Identifies relevance of equity, diversity, inclusion, and cultural awareness in ADR. 	<ul style="list-style-type: none"> - Identifies the communication and digital skills required by arbitrators, mediators, and adjudicators. - Recognises typical limitations on how mediator and participants may interact. 	<ul style="list-style-type: none"> - Recognises the Ciarb ethical and practice standards. - Undertakes to adhere to the Ciarb ethical and practice standards. - Completes a reflective practice exercise.
C. Outcome Competences	C1. Facilitates generation of ideas to develop workable, alternative futures.	C2. Enables parties to exchange and test information to identify mutually acceptable outcomes.	C3. Oversees the recording of the mediation outcome in line with the mediation and jurisdictional context.
Indicators	<ul style="list-style-type: none"> - Identifies what is considered relevant information in diverse types of ADR processes. - Identifies the roles of creating and claiming value in alternative futures. 	<ul style="list-style-type: none"> - Identifies the role of information exchange and negotiation techniques in developing workable outcomes. - Recognises the role of testing possible solutions in arriving at mutually acceptable outcomes. 	<ul style="list-style-type: none"> - Identifies the mediator role in documenting mediation outcomes. - Recognises contextual variation in mediation agreements. - Recognises global variation in practice.

Mediation framework for Members

Minimum competence statement: A Member has **demonstrated** the **knowledge** required in all areas of the ADR Competence framework to support the neutral (in at least one discipline). (Knows how)

A. Process and Procedure Competences	A1. Creates and maintains a safe, flexible, and fair process.	A2. Manages the mediation process proactively.	A3. Differentiates between ADR roles and processes and proactively self-manages when switching role or process.
Indicators	<ul style="list-style-type: none"> - Identifies the core principles of mediation including neutrality/multi-partiality, confidentiality, participation, and party ownership of outcomes. - Recognises different forms of mediation and conditions for application. 	<ul style="list-style-type: none"> - Works through the mediation phases in accordance with party needs. - Uses process management of tools including time management, note-taking, and visualisation. - Manages pace and energy in the process. 	<ul style="list-style-type: none"> - Defines arbitration, mediation and adjudication and the neutral role in each accurately. - Recognises key strengths and limitations of the different ADR processes.
B. People and Communication Competences	B1. Creates an environment enabling all participants to engage with the process.	B2. Builds and maintains interaction and communication with all parties throughout the process.	B3. Complies with equality, diversity, and inclusion (EDI), ethical and practice standards, and actively engages in reflective practice.
Indicators	<ul style="list-style-type: none"> - Identifies practical examples of conflict of interest and their implications. - Creates and/or maintains an appropriate mediation environment. - Identifies cultural awareness and inclusion skills required and how they are applied. 	<ul style="list-style-type: none"> - Uses verbal and non-verbal communication and listening skills as appropriate to the mediation phase. - Recognises and responds appropriately to the emotions of self and others. 	<ul style="list-style-type: none"> - Identifies examples of the impact of the Ciarb ethical and practice standards in practice. - Undertakes to adhere to the Ciarb ethical and practice standards. - Completes a reflective practice exercise.
C. Outcome Competences	C1. Facilitates generation of ideas to develop workable, alternative futures.	C2. Enables parties to exchange and test information to identify mutually acceptable outcomes.	C3. Oversees the recording of the mediation outcome in line with the mediation and jurisdictional context.
Indicators	<ul style="list-style-type: none"> - Works with the commercial, personal, and legal issues in mediation. - Recognises the role of the mediator in moving the parties from detail to bigger picture and testing workability. 	<ul style="list-style-type: none"> - Works with different party negotiation styles to facilitate communication and exchange. - Uses the exchange of information and offers in the development and testing of options. 	<ul style="list-style-type: none"> - Identifies the mediator's role in the settlement writing process in typical situations (represented and unrepresented parties). - Recognises key elements in typical mediation agreements and settlements.

Mediation framework for Fellows

Minimum competence statement: A Fellow has **demonstrated** the **knowledge, skills and attributes** required in all areas of the ADR competence framework as a neutral to run the ADR process independently (in at least one discipline). (Shows how)

A. Process and Procedure Competences	A1. Creates and maintains a safe, flexible, and fair process.	A2. Manages the mediation process proactively.	A3. Differentiates between ADR roles and processes and proactively self-manages when switching role or process.
Indicators	<ul style="list-style-type: none"> - Establishes and maintains mediation principles including neutrality, confidentiality, and equal opportunity to participate. - Leaves ownership of solutions with parties. - Uses different styles/forms of mediation and applies appropriately. - Deals with any issues of conflict of interest in a timely and effective way. 	<ul style="list-style-type: none"> - Deploys awareness of external procedural issues where appropriate. - Manages pace and energy and time of self and parties throughout. - Uses tools including notes, flipcharts, and technology appropriately. - Guides parties flexibly through mediation phases in accordance with party needs. 	<ul style="list-style-type: none"> - Identifies benefits and limitations of arbitration, mediation, and adjudication. - Recognises responsibilities and risks of the role of arbitrator, mediator, and adjudicator. - Identifies risks and precautions of switching role between cases, or within an ongoing dispute.
B. People and Communication Competences	B1. Creates an environment enabling all participants to engage with the process.	B2. Builds and maintains interaction and communication with all parties throughout the process.	B3. Complies with ethical and practice standards, and actively engages in reflective practice.
Indicators	<ul style="list-style-type: none"> - Establishes and maintains authority. - Demonstrates neutrality/multi-partiality in action. - Uses intercultural and equity, diversity and inclusion awareness and skills to maintain an inclusive, safe environment for all participants. 	<ul style="list-style-type: none"> - Uses full range of active listening skills. - Uses verbal and non-verbal communication appropriately and effectively. - Manages emotions of self and others effectively. 	<ul style="list-style-type: none"> - Recognises and manages ethical issues. - Undertakes to adhere to Ciarb ethical and practice standards. - Engages in reflective practice and ongoing learning.
C. Outcome Competences	C1. Facilitates generation of ideas to develop workable, alternative futures.	C2. Enables parties to exchange and test information to identify mutually acceptable outcomes.	C3. Oversees the recording of the mediation outcome in line with the mediation and jurisdictional context.
Indicators	<ul style="list-style-type: none"> - Engages with commercial, personal, and legal issues as needed by the context and parties. - Works with parties on moving between detail and bigger picture in complex disputes. - Keeps workability of the outcome in focus and creates opportunities for parties to test it. 	<ul style="list-style-type: none"> - Applies questioning and listening to explore and enable re-evaluation/testing of information. - Enables safe and tactically effective exchange. - Works with different negotiation styles. - Uses legal and specialist expertise to test outcomes without advising on outcome. - Offers opinions only after consideration of risks to impartiality and explicit party consent. 	<ul style="list-style-type: none"> - Clarifies and agrees with all parties how any outcome will be recorded. - Oversees the writing up of any outcome reached. - Applies legal and other expertise to test outcome, without giving legal advice. - Checks contents in relation to mediator's understanding of what has been agreed.

Arbitration framework for Associates

Minimum competence statement: An Associate has **demonstrated** basic **knowledge** of all areas of the ADR competence framework. (Knows)

A. Process and Procedure Competences	A1. Plans, manages, and concludes the arbitration procedure in accordance with the applicable procedural rules and principles.	A2. Actively and strategically manages the arbitration procedure from inception to award.	A3. Differentiates between ADR roles and processes and proactively self-manages when switching role or process.
Indicators	<ul style="list-style-type: none"> - Identifies the difference between public and private dispute resolution. - Identifies the contractual basis of arbitration, mediation, and adjudication. - Recognises how key rules and principles underpin and constrain arbitration. 	<ul style="list-style-type: none"> - Recognises core terminology and basic procedural steps in arbitration. - Recognises the importance of procedure in creating a binding award. 	<ul style="list-style-type: none"> - Identifies the difference between adjudicative and non-adjudicative processes. - Identifies the key features of arbitration, mediation, and adjudication. - Recognises typical features and responsibilities of arbitrators, mediators, and adjudicators.
B. People and Communication Competences	B1. Enables and enforces an environment of safe, fair, inclusive, and procedure-appropriate interaction.	B2. Actively communicates to enable effective and procedurally compliant participation from all involved.	B3. Complies with equality, diversity, and inclusion (EDI), ethical and practice standards, and actively engages in reflective practice.
Indicators	<ul style="list-style-type: none"> - Recognises the concept of conflict of interest. - Identifies key duties of arbitrators in ensuring procedure-appropriate interaction. - Identifies the importance of equality, diversity, inclusion, and cultural awareness in ADR. 	<ul style="list-style-type: none"> - Identifies the communication and digital skills required by effective arbitrators, mediators, and adjudicators. - Recognises typical limitations on how arbitrator and participants may interact. 	<ul style="list-style-type: none"> - Recognises and manages ethical issues. - Identifies Ciarb ethical and practice standards. - Completes a reflective practice exercise.
C. Outcome Competences	C1. Applies understanding of the relevant legal principles and evidence gathering techniques, to develop a view, based on facts, legal principles, and sector-specific insight.	C2. Manages evidence, hearings, procedural and sector expertise tactically to maximise the opportunity for a legally sound and uncontested award.	C3. Structures, writes and evidences awards congruent with relevant rules, principles and ethical standards that withstand scrutiny.
Indicators	<ul style="list-style-type: none"> - Identifies what is considered relevant information in different types of ADR. - Recognises core legal principles underpinning arbitration, such as the law of evidence, contract, and negligence. 	<ul style="list-style-type: none"> - Identifies core skills in managing evidence and information in substance and in law. - Identifies key elements in producing a sound and uncontested award. 	<ul style="list-style-type: none"> - Identifies the arbitrator's role in award writing. - Recognises core features of a binding award. - Recognises global variation in practice.

Arbitration framework for Members

Minimum competence statement: A Member has **demonstrated** the **knowledge** required in all areas of the ADR competence framework to support the neutral (in at least one discipline). (Knows how)

A. Process and Procedure Competences	A1. Plans, manages, and concludes the arbitration procedure in accordance with the applicable procedural rules and principles.	A2. Actively and strategically manages the arbitration procedure from inception to award.	A3. Differentiates between ADR roles and processes and proactively self-manages when switching role or process.
Indicators	<ul style="list-style-type: none"> - Identifies the contractual nature of arbitrator appointment and its range, limitations, and functions. - Identifies the impact on the procedure of the rights, duties, and responsibilities of the parties. - Identifies different ways to initiate arbitration. 	<ul style="list-style-type: none"> - Identifies the impact of institutional and ad hoc rules and legal principles on the management of procedural issues. - Identifies how, and when, active, strategic, procedural choices can be made by the arbitrator. 	<ul style="list-style-type: none"> - Identifies benefits and limitations of arbitration, mediation, and adjudication. - Recognises typical features and responsibilities of arbitrators, mediators, and adjudicators. - Identifies issues to be considered in ADR before and during any switch in role, or process.
B. People and Communication Competences	B1. Enables and enforces an environment of safe, fair, inclusive, and procedure-appropriate interaction.	B2. Actively communicates to enable effective and procedurally compliant participation from all involved.	B3. Complies with equality, diversity, and inclusion (EDI), ethical and practice standards, and actively engages in reflective practice.
Indicators	<ul style="list-style-type: none"> - Identifies practical examples of conflicts of interest and their implications. - Identifies ways to enable and enforce an appropriate environment. - Identifies practical examples of applied cultural awareness and inclusivity. 	<ul style="list-style-type: none"> - Identifies the impact of managing parties using a range of communication skills and styles in arbitration. - Identifies procedurally appropriate use of digital tools and competence. - Identifies the limitations of arbitrator and participant interaction. 	<ul style="list-style-type: none"> - Identifies examples of the impact of the Ciarb ethical and practice standards in practice. - Undertakes to adhere to the Ciarb ethical and practice standards. - Completes a reflective practice exercise.
C. Outcome Competences	C1. Applies understanding of the relevant legal principles and evidence gathering techniques, to develop a view, based on facts, legal principles, and sector-specific insight.	C2. Manages evidence, hearings, procedural and sector expertise tactically to maximise the opportunity for a legally sound and uncontested award.	C3. Structures, writes and evidences awards congruent with relevant rules, principles and ethical standards that withstand scrutiny.
Indicators	<ul style="list-style-type: none"> - Recognises legal principles and identifies how they are applied in arbitration. - Identifies examples of how legal limitations impact on what it is permissible to arbitrate. - Identifies connections between international treaties, national courts, and arbitration. 	<ul style="list-style-type: none"> - Identifies how managing evidence, and information practically impacts on arbitration procedure and on the enforceability of awards. - Identifies examples of the impact of the arbitrator's digital competence on the procedure and outcome. 	<ul style="list-style-type: none"> - Identifies clear, precise language. - Recognises the application of structure, analysis, reasoning, and due process in award writing. - Recognises procedural, substantive and costs issues, and identifies how they may be addressed.

Arbitration framework for Fellows

Minimum competence statement: A Fellow has **demonstrated** the **knowledge, skills and attributes** required in all areas of the ADR competence framework as a neutral to run the ADR process independently (in at least one discipline). (Shows how)

A. Process and Procedure Competences	A1. Plans, manages, and concludes the arbitration procedure in accordance with the applicable procedural rules and principles.	A2. Actively and strategically manages the arbitration procedure from inception to award.	A3. Differentiates between ADR roles and processes and proactively self-manages switching role or process.
Indicators	<ul style="list-style-type: none"> - Defines the scope and complies with the terms of the arbitration agreement. - Applies best endeavours to ensure participants understand and comply with procedural and other requirements. - Deals with any issues of conflict of interest in a timely and effective way. - Maintains confidentiality as required. 	<ul style="list-style-type: none"> - Takes precautions appropriate to ensure procedural integrity. - Develops a workable procedural timetable. - Proactively addresses procedural issues and uses case management tools. - Applies digital competence in a procedurally appropriate way. 	<ul style="list-style-type: none"> - Identifies benefits and limitations of arbitration, mediation, and adjudication. - Recognises responsibilities and risks of the role of arbitrator, mediator, and adjudicator. - Identifies risks and precautions of switching role between cases, or within an ongoing dispute.
B. People and Communication Competences	B1. Creates and enforces an environment of safe, fair, inclusive, and procedure-appropriate interaction.	B2. Actively communicates to enable effective and procedurally compliant participation from all involved.	B3. Complies with equality, diversity, and inclusion (EDI), ethical and practice standards, and actively engages in reflective practice.
Indicators	<ul style="list-style-type: none"> - Deals with any issues of conflict of interest in a timely and effective way. - Demonstrates and maintains neutrality. - Establishes and maintains appropriate authority. - Interacts, and takes decisions as necessary, to maintain appropriate interaction and a safe environment for all participants. 	<ul style="list-style-type: none"> - Uses and effectively adapts language and questioning in written and spoken form according to need. - Uses digital tools in a procedurally appropriate way and sets expectations that participants will do the same. - Manages people during the procedural and evidential hearings effectively. 	<ul style="list-style-type: none"> - Recognises and manages ethical issues. - Undertakes to adhere to Ciarb ethical and practice standards. - Engages in reflective practice and ongoing learning.
C. Outcome Competences	C1. Applies understanding of the relevant legal principles and evidence gathering techniques, to develop a view, based on facts, legal principles, and sector-specific insight.	C2. Manages evidence, procedural and sector-expertise tactically to maximise the opportunity for a legally sound and uncontested award.	C3. Structures, writes and evidences awards congruent with relevant rules, principles and ethical standards that withstand scrutiny.
Indicators	<ul style="list-style-type: none"> - Demonstrates and applies key legal concepts pleaded by the parties. - Weighs evidence to reach reasoned decisions. - Applies arbitration law as required by the case. 	<ul style="list-style-type: none"> - Considers party applications and applies relevant law and rules. - Applies sector-specific expertise to manage, analyse and evaluate evidence. - Manages late submissions effectively. 	<ul style="list-style-type: none"> - Deals with all substantive and procedural issues, as well as fees, costs, and interest. - Structures awards to convey factual and legal analysis and substantive underlying reasoning. - Drafts using clear, precise, language. - Reflects use of due process.

Adjudication framework for Associates

Minimum competence statement: An Associate has **demonstrated** basic **knowledge** of all areas of the ADR competence framework. (Knows)

A. Process and Procedure Competences	A1. Plans, manages, and concludes the adjudication procedure in accordance with the applicable procedural rules and principles.	A2. Actively and efficiently manages the adjudication procedure from inception to decision.	A3. Differentiates between ADR roles and processes and proactively applies this to self-manage when switching role.
Indicators	<ul style="list-style-type: none"> - Differentiates public and private dispute resolution. - Identifies the contractual basis for arbitration, mediation, and adjudication. - Identifies key rules and principles in the jurisdiction. 	<ul style="list-style-type: none"> - Recognises core terminology and basic procedural steps. - Recognises the importance of procedure in creating an enforceable decision. 	<ul style="list-style-type: none"> - Defines arbitration, mediation and adjudication and the neutral role in each. - Identifies a range of ADR specialisms and the typical role of the third party in the specialism.
B. People and Communication Competences	B1. Enables and enforces an environment of safe, fair, inclusive, and procedure-appropriate interaction.	B2. Actively communicates to enable effective and procedurally compliant participation from all involved.	B3. Complies with equality, diversity, and inclusion (EDI), ethical and practice standards, and actively engages in reflective practice.
Indicators	<ul style="list-style-type: none"> - Recognises the concept of conflict of interest. - Identifies what appropriate interaction looks like and the duties of the adjudicator in its creation and maintenance. - Identifies relevance of equality, diversity, inclusion, and cultural awareness in ADR. 	<ul style="list-style-type: none"> - Identifies the communication and digital skills required by arbitrators, mediators, and adjudicators. - Recognises typical limitations on how adjudicator and participants may interact. 	<ul style="list-style-type: none"> - Recognises the Ciarb ethical and practice standards. - Undertakes to adhere to ethical and practice standards. - Completes a reflective practice exercise.
C. Outcome Competences	C1. Applies understanding of the relevant legal framework, statutes, and evidence gathering, to develop a view based on facts and legal principles.	C2. Deploys sector expertise appropriately, manages submissions efficiently and evidence fairly.	C3. Structures and writes a decision congruent with relevant rules, legal principles, and ethical standards, which withstand scrutiny.
Indicators	<ul style="list-style-type: none"> - Identifies information considered relevant in adjudication, mediation, and arbitration. - Recognises core, relevant, legal principles. 	<ul style="list-style-type: none"> - Identifies the core skills in managing evidence and information in substance and in law. - Identifies key elements in producing a sound and uncontested decision. 	<ul style="list-style-type: none"> - Identifies the adjudicator role in decision-writing. - Identifies core features of a binding decision. - Recognises global variation in practice.

Adjudication framework for Members

Minimum competence statement: A Member has **demonstrated** the **knowledge** required in all areas of the ADR competence framework to support the neutral (in at least one discipline). (Knows how)

A. Process and Procedure Competences	A1. Plans, manages, and concludes the adjudication procedure in accordance with the applicable procedural rules and principles.	A2. Actively and efficiently manages the adjudication procedure from inception to decision.	A3. Differentiates between ADR roles and processes and proactively applies this to self-manage when switching role.
Indicators	<ul style="list-style-type: none"> - Identifies the contractual nature of adjudicator appointment, its range, and limitations. - Identifies the rights, duties, and responsibilities of adjudication parties. - Identifies methods to initiate adjudication. 	<ul style="list-style-type: none"> - Identifies procedure relevant rules and laws. - Identifies core elements of an effective procedural timetable and the importance of managing submissions. 	<ul style="list-style-type: none"> - Identifies benefits and limitations of arbitration, mediation, and adjudication. - Identifies features, responsibilities, and risks in the role of arbitrator, mediator, and adjudicator. - Identifies risks and precautions when switching ADR role, or process.
B. People and Communication Competences	B1. Enables and enforces an environment of safe, fair, inclusive, and procedure-appropriate interaction.	B2. Actively communicates to enable effective and procedurally compliant participation from all involved.	B3. Complies with equality, diversity, and inclusion (EDI), ethical and practice standards, and actively engages in reflective practice.
Indicators	<ul style="list-style-type: none"> - Identifies practical examples of conflicts of interest and their implications. - Identifies techniques to enable and enforce an appropriate environment adjudication. - Identifies practical examples of effective application by the adjudicator of cultural awareness and inclusion. 	<ul style="list-style-type: none"> - Identifies how to use a range of communication skills and styles to manage participants. - Identifies procedurally appropriate use of digital tools and competence. - Identifies limitations to adjudicator - participant interaction. 	<ul style="list-style-type: none"> - Identifies examples of the impact of the Ciarb ethical and practice standards in practice. - Undertakes to adhere to ethical and practice standards. - Completes a reflective practice exercise.
C. Outcome Competences	C1. Applies understanding of the relevant legal framework, statutes, and evidence gathering, to develop a view based on facts and legal principles.	C2. Deploys sector expertise appropriately, manages submissions efficiently and evidence fairly.	C3. Structures and writes a decision congruent with relevant rules, legal principles, and ethical standards, which withstand scrutiny.
Indicators	<ul style="list-style-type: none"> - Recognises the law of evidence and natural justice and their relevant to adjudication. - Recognises jurisdictional challenges, their impact and how they can be managed. - Identifies factors and techniques to weigh evidence to reach a reasoned decision. 	<ul style="list-style-type: none"> - Recognises how relevant law and rules may be applied in analysing party submissions. - Identifies how specific expertise may be used to manage, analyse, and evaluate evidence. - Recognises appropriate strategies to manage late submissions 	<ul style="list-style-type: none"> - Recognises clear, determinative language. - Identifies how factual and legal analysis and substantive underlying reasoning are done. - Identifies how substantive, procedural, due process and costs issues are resolved.

Adjudication framework for Fellows

Minimum competence statement: A Fellow has **demonstrated** the **knowledge, skills and attributes** required in all areas of the ADR competence framework as a neutral to run the ADR process independently (in at least one discipline). (Shows how)

A. Process and Procedure Competences	A1. Plans, manages, and concludes the adjudication procedure in accordance with the applicable procedural rules and principles.	A2. Actively and efficiently manages the adjudication procedure from inception to decision.	A3. Differentiates between ADR roles and processes and proactively applies this to self-manage when switching role.
Indicators	<ul style="list-style-type: none"> - Applies best endeavours to ensure participants understand and comply with procedural requirements. - Implements adjudication as intended according to relevant law and procedural guidance. - Maintains confidentiality to the extent applicable. 	<ul style="list-style-type: none"> - Develops and directs a workable procedural timetable. - Proactively deals with procedural issues and defines and decides issues within the agreed timetable. - Uses digital competence in a procedurally appropriate way. 	<ul style="list-style-type: none"> - Identifies benefits and limitations of arbitration, mediation, and adjudication. - Recognises responsibilities and scope of the role of arbitrator, mediator, and adjudicator. - Identifies risks and precautions of switching role between cases, or within an ongoing case.
B. People and Communication Competences	B1. Enables and enforces an environment of safe, fair, inclusive, and procedure-appropriate interaction.	B2. Actively communicates to enable effective and procedurally compliant participation from all involved.	B3. Complies with equality, diversity, and inclusion (EDI), ethical standards, and actively engages in reflective practice.
Indicators	<ul style="list-style-type: none"> - Deals with any issues of conflict of interest in a timely and effective way. - Conveys and maintains appropriate authority. - Demonstrates and maintains neutrality. - Uses intercultural and equity, diversity and inclusion awareness and skills to maintain an inclusive, safe environment for all participants. 	<ul style="list-style-type: none"> - Communicates terms of appointment to the parties promptly and clearly. - Uses context and role-appropriate language, including questioning. - Manages meetings and uncooperative parties effectively. 	<ul style="list-style-type: none"> - Recognises and manages ethical issues. - Undertakes to adhere to the Ciarb ethical and practice standards. - Engages in reflective practice and ongoing learning and development.
C. Outcome Competences	C1. Applies understanding of the relevant legal framework, statutes, and evidence gathering, to develop a view based on facts and legal principles.	C2. Deploys sector expertise appropriately, manages submissions efficiently and evidence fairly.	C3. Structures and writes a decision congruent with relevant rules, legal principles, and ethical standards, which withstand scrutiny.
Indicators	<ul style="list-style-type: none"> - Applies relevant legal concepts such as the law of evidence and natural justice. - Manages and decides jurisdictional challenges effectively. - Weighs evidence to reach a reasoned decision. 	<ul style="list-style-type: none"> - Considers party submissions and applies relevant law and rules to decision-making. - Applies sector specific expertise to manage, analyse and evaluate evidence. - Manages late submissions effectively. 	<ul style="list-style-type: none"> - Drafts in clear, precise, determinative language. - Structures decision to convey factual and legal analysis and substantive underlying reasoning. - Deals with all substantive, procedural and costs and due process issues.

Section 5

Background and consultation on these frameworks

This version of the frameworks follows extensive consultation with over two hundred Ciarb faculty, members, subject matter experts, the Ciarb Board of Trustees, and Ciarb Executive, and an appraisal by a legal education expert.

For background on the development of these frameworks please see the article in the Ciarb Journal *Arbitration: The international journal of arbitration, mediation, and dispute management*, Vol 88, Issue 4. This can be accessed through academic library searches, the Wolters Kluwer platform and your [MyCiarb account](#).

The published version of the frameworks precedes the last round of expert appraisal, which included the appraisal of how the competences could be assessed. As a result of this appraisal and consultation with the Education and Training Reform Advisory Group (comprising senior Ciarb Fellows in all three disciplines from across the globe) the indicators have been modified in some cases to enable clarity on what needs to be achieved and the mode by which the competence could be assessed (for instance through multiple-choice questionnaire, practical simulation, or written exam).



