MEDIATION: A CONFLICT MANAGEMENT AND RESOLUTION SYSTEM

TYPE	ECTS	TERM	DEPARTMENT
ELECTIVE	6	6th	Civil Law

MODULE: DIMENSIONS AND TECHNIQUE OF SOCIAL WORK INTERVENTION

SUBJECT: MEDIATION AS A TOOL FOR SOCIAL WORK INTERVENTION

SUBJECT PRESENTATION

The subject is intended to develop knowledge of mediation as a cooperative out-of-court system for the management, transformation and resolution of conflicts. It is structured in three main blocks. The first analyses conflicts, their elements and categories, and traditional conflict resolutions systems, before examining so-called ADR (alternative dispute resolution) mechanisms in detail, with particular attention to the distinction between mediation and other similar mechanisms such as negotiation, conciliation or arbitration.

The second block provides a detailed analysis of mediation, its regulatory framework, its concept and fundamental principles. It also considers the mediation process, its legal effects and the techniques to be applied at each stage of the process.

The third block focuses on the study of the different fields in which mediation may be practiced, paying particular attention to mediation as applied to conflicts involving family, education, communities, and intercultural issues.

COURSE REQUIREMENTS

None.

1. COMPETENCIES

1. Knowing and understanding the nature and structure of conflict and the features of the different conflict resolution systems. Identifying and managing complex ethical conflicts, dilemmas and problems, designing strategies to address such issues and reflecting on outcomes.
2. Knowing the principles that govern the institution of mediation, as well as the structure of the process and the techniques used therein.
3. Assessing the benefits of so-called ADR mechanisms, principally mediation.
4. Knowing the various intervention contexts in which mediation is applied: family, school, intercultural issues, and the criminal context for minors and adults.
5. Reflecting on the contributions mediation can make for social work professionals as a fundamental resource in community intervention.
6. Being able to work in a collaborative fashion with individuals, families, groups, organizations and communities, as well as how to work with their needs and circumstances.
7. Assessing potential needs and options for guiding conflict intervention strategies to be presented to the various groups involved.

2. CONTENT

Conflict: concept, elements, categories and styles.

Traditional and alternative conflict resolution systems: courts and the various ADR mechanisms.

General theory of mediation: concept, principles, process and effects. Civil mediation: regulatory framework.

Mediation in family contexts: concept, fields, principles, regulatory framework and experiences. Processes and techniques applicable to family mediation.

Mediation in other fields: criminal law for adults and minors, education, community, intercultural issues, workplace.

3. LEARNING OUTCOMES AND ACTIVITIES

Learning Outcome	Learning Activities
1. Knowing and understanding the nature and structure of conflict and the features of the various conflict resolution systems; learning to assess the benefits of so-called ADR mechanisms, principally mediation.	Classroom presentation by teacher to whole group. Presentation and clarification of concepts. Individual tutorials.
2. Recognising the principles that govern the institution of mediation, as well as the structure of the process and the techniques that are used therein.	Presentation by teacher to whole group. Presentation and clarification of concepts. Analysis of videos and real cases. Proposal and resolution of practical problems in three subgroups. Student presentation/individual or group presentations of tasks in three subgroups.
3. Knowing and understanding the possibilities and form of intervention in mediation in various contexts such as family, school, intercultural issues, or criminal law for adults and minors.	Presentation by teacher to whole group. Presentation and clarification of concepts. Analysis of videos and real cases. Proposal and resolution of practical problems in three subgroups. Student presentation/individual or group presentations of tasks in three subgroups.
4. Assessing the important of mediation for social work professionals as a fundamental resource in community intervention. Being able to identify the resources that are necessary to resolve conflicts arising in the professional context.	Presentation by teacher to whole group. Proposal and resolution of practical problems in three subgroups.

SUMMARY OF LEARNING ACTIVITIES		
Learning Activity	**ECTS**	**Percentage**
Theory classes – taught in large-group context	0.5	16.7 %
Classroom-based guided practical work and tasks	2	25 %
Autonomous student tasks	3	50 %
Academic tutorials and supervision	0.3	5 %
Evaluation activities	0.2	3.3 %
Total	6	100 %

4. EVALUATION TOOLS

- Individual written test (60% of final grade). An individual written test will be completed in order to evaluate the basic concepts of the subject. It is necessary to pass this written test in order for the practical part to be taken into account.
- Completion of individual or group case studies (40% of final grade). Students must complete the work issued by the teacher and, within the time indicated, present and debate the studies within the context of the practical classes.

5. BIBLIOGRAPHY

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