

Module Title	Mediation and Negotiation Skills		
Course Title	LLB Law (Course 4) & related Courses		
	Course Codes	Course	Year
	4	LLB FT	3
	277	LLB PT	4,5
	4210	LLB FL	3
	4208	LLB MEL	3
School	<input type="checkbox"/> ASC <input type="checkbox"/> ACI <input type="checkbox"/> BEA <input type="checkbox"/> BUS <input type="checkbox"/> ENG <input type="checkbox"/> HSC <input checked="" type="checkbox"/> LSS		
Division	Law		
Parent Course (if applicable)	LLB Law (Course 4)		
Level	6		
Module Code (<i>showing level</i>)	Law_6_MNS		
JACS Code (completed by the QA)			
Credit Value	20 credit points		
Student Study Hours	Contact hours: 48 Student managed learning hours: 152		
Pre-requisite Learning	Level 4 Core Modules		
Co-requisites	None		
Excluded combinations	None		
Module co-ordinator	Katherine Stylianou styliakd@lsbu.ac.uk		
Short Description (max. 100 words)	This module commences with looking at negotiation process and theories and strategies of negotiation. We look at the blocks to negotiation and then the use of mediation and its process and principles. In looking at the theory of the mediation process, the module identifies the principles and ethics that have evolved in this developing field. The emphasis on the module is demonstrated by the practical element involved in every week of classes, where students do practical exercises requiring students to role play and use different skills involved in negotiation and mediation. Communication skills are taught on this module and used to enhance negotiation skills. Students write up their experience and evaluation of their skills each week and this is their first piece of assessment – a reflective skills report.		
Aims	<ol style="list-style-type: none"> To give students an overview of the different sociological/psychological and political theories to the study of ADR and civil litigation. To develop students' knowledge of the different perspectives and theories of adjudication and litigation and then negotiation and mediation. To develop the students' responsibility for learning and understanding through student led discussion, group work, role play and other practical exercises that create an opportunity for students to reflect on their own skills. To enable students to focus away from the courts in order to understand the development and emergence of disputes. To give students an awareness of the different issues involved where mediation and negotiation are prominent. 		
Learning Outcomes (4 to 6 outcomes)	<p>Knowledge and Understanding:</p> <ol style="list-style-type: none"> Fundamental theories, concepts and principles involved in: negotiation and mediation; communication and other skills used in mediation and negotiation; (A1 and A2) The significance of social, political, economic and moral contexts on within mediation practice; (A5) Issues relating to the ethics and limitations of mediation practice and the constraints placed upon it through the civil litigation system. (A4) <p>Intellectual Skills:</p> <ol style="list-style-type: none"> Reason critically and argue effectively about the theories relating to mediation and negotiation within a hypothetical case study, recognising alternative points of view and offering reasoned opinions supported by authority or evidence. (B4) <p>Practical Skills:</p> <ol style="list-style-type: none"> Communicate effectively both orally and in writing – through the reflective skills report relating to the communication and other skills practices during the practical skills part of the module; (C1) Read and understand multi-disciplinary materials in the field of mediation and negotiation; (C2) 		

	<p>c) Employ communication techniques and strategies appropriate for mediation and negotiation; (C3)</p> <p>d) Produce word processed documents where appropriate; (C5)</p> <p>e) Undertaking research using electronic media. (C7)</p> <p>Transferable Skills:</p> <p>a) Plan research for coursework including the setting of priorities in terms of relevance and importance; (D2)</p> <p>b) Plan and manage their work including setting priorities in terms of importance and deadlines; (D3)</p> <p>c) Reflect and act upon their study and training needs recognising personal strengths and development needs; (D5)</p> <p>d) Identify and acknowledge issues of culture, disability and diversity. (D6)</p>
Employability	<p>The module equips students with an awareness and practice of the skills required in mediation and negotiation. This module enables the student to become an associate member of the College of Mediators. With an add on skills course, this module is part 1 of a recognised foundation skills training course for mediators. Students are offered the opportunity to take the add on training course as an extra-curricula activity. Mediation skills are attractive to employers in any field of business as well as in the legal professional sphere. Mediation is used in numerous employment contexts in an attempt to manage conflict. The skills learnt on this module enhance communication, negotiation and mediation skills all of which are essential and desirable skills for most employment.</p>
Teaching and learning pattern	<p>Contact hours includes the following: (please click on the checkboxes as appropriate)</p> <p><input checked="" type="checkbox"/> Lectures <input type="checkbox"/> Group Work:</p> <p><input checked="" type="checkbox"/> Seminars <input type="checkbox"/> Tutorial:</p> <p><input type="checkbox"/> Laboratory <input type="checkbox"/> Workshops</p> <p><input type="checkbox"/> Practical <input type="checkbox"/> VLE Activities</p> <p>This module is delivered over 12 weeks in weekly 4 hour classes of the whole group. This module therefore, because of the skills content and professional body requirements, needs to be capped at 35 students maximum.</p> <p>The time in the classes will be used in a variety of ways.</p> <ul style="list-style-type: none"> - Some sessions will involve small group and large group discussion of pre-set reading and exercises (some activity some seminar questions and comprehension of complex material); - Lecture with discussion; - practical role played exercises and reflective feedback and discussion about the skills used; - large group feedback and reflection on role plays; preparation for courseworks; - on-line seminars.
Indicative content	<ol style="list-style-type: none"> 1. Negotiation – theory and process. 2. Strategies for negotiation : co-operative and positional bargaining. Research. 3. Blocks to negotiation – the factors that affect conflict and lead to either a break down, or an ineffective result from negotiations. 4. Mediation – Definition, boundaries and principles. 5. The Process of mediation. Stages that mirror negotiation process. How the mediator moves parties through stages. 6. Core skills of a mediator. Types of negotiation encouraged through mediation. The skills used to enhance co-operation. 7. Ethics of mediation – codes of practice; professional bodies; regulation. The concept of neutrality and the process. Power Balancing. Dilemmas of mediators. 8. Limitations of mediation 9. SKILLS – reframing, mutualising, summarizing back, power balancing, future focusing, clarification, open questions, reflective questions, acknowledging emotions. 10. Dealing with impasses. Models used in family, community and commercial. Caucusing/shuttle mediation

Assessment method (Please give details – of components, weightings, sequence of components, final component)	Formative Assessment Skills for the summative assessment will be embedded throughout formative opportunities in Seminars and Workshops. Summative Assessment Assessment 1 (CW1)-Coursework 1 - 40% : Skills Report – 2,000 - 3,000 words Assessment 2 (CW1) Coursework 2 – 60%: Case Study – 3,000 words Skills report to be completed every week after practical exercise, handed in upon completion of the module. Essay to be handed in at end of module.
Mode of resit assessment (if applicable)	Mode of resit i) Same assessment method ii) Same assessment skills content
Indicative Sources (Reading lists)	CORE READING: BOOKS: S Roberts and M Palmer, Dispute Processes, ADR and the Primary Forms of Decision Making (Cambridge University Press, Law in Context Series, 2008) L Boulle and M Nasic, Mediator Skills and Techniques, Triangle of Influence (Bloomsbury Professional, 2010) B Bush and J Folger, The Promise of Mediation, Responding to Conflict Through Empowerment and Recognition (Jossey-Bass Publishers, San Francisco, 1994) B Mayer, Beyond Neutrality (Jossey-Bass, San Francisco, 2004) R Fisher & W Ury, Getting to Yes, Negotiating and Agreement Without Giving In (Random House, Business Books, Second Edition 1999)
Other Learning Resources	VLE and embedded links and resources College of Mediators website Family Mediation Council Website Civil Mediation Website CEDR website

