

Mediation and the Social Work profession: particularly in the community context

Mediación y Trabajo Social: especial atención al ámbito comunitario

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Abstract

In 2008, the European Union published its Directive on mediation in civil and commercial matters, offering general regulation of this conflict resolution system, its principles, and its objectives. Social workers have for some time defended their role as mediators, but this reality has changed and mediation appears to have taken shape as an independent profession due to existing regulation, its introduction to universities and the implementation of training courses. This article analyses the differences between the two professions: mediator and social worker. It also considers the mediation that is carried out in the community context. Community mediation is a perfect tool for achieving a changed understanding of public social services, seeking to encourage citizens to participate in and take responsibility for community life and thereby to become active citizens as envisaged by the 2012 Global Agenda for Social Work. However, mediation in this context has certain peculiarities, and at times confusion may arise between the figures of social worker and mediator.

Keywords: mediation, community, Social Work, profession, social conflict.

Resumen

En 2008, la Unión Europea publicó la *Directiva sobre mediación en asuntos civiles y comerciales*, ofreciendo una regulación general de este sistema de resolución de conflictos, sus principios y sus objetivos. Los trabajadores sociales han defendido durante mucho tiempo, como muchas otras profesiones, su papel como mediadores. Pero esta realidad ha cambiado y la mediación parece haber tomado forma como profesión independiente debido a la regulación existente, su introducción en las universidades y la implementación de cursos de formación. Este artículo analiza las diferencias entre las dos profesiones: mediador y trabajadora social. Se centra especialmente en la mediación que se lleva a cabo en el contexto comunitario. La mediación comunitaria es una herramienta perfecta para lograr una nueva perspectiva de los servicios sociales públicos, tratando de incentivar a los ciudadanos a participar y asumir la responsabilidad de la vida en comunidad y por lo tanto convertirse en ciudadanos activos, tal y como se prevé en la Agenda Global de 2012 para el Trabajo Social. Sin embargo, la mediación en este contexto tiene ciertas particularidades, y en ocasiones puede surgir cierta confusión entre las figuras del trabajador social y el mediador.

Palabras clave: mediación, comunidad, Trabajo Social, profesión, conflicto social.

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Introduction

Alternative Dispute Resolution (ADR) covers a set of techniques aimed at reaching a satisfactory agreement for the parties involved in a dispute avoiding judicial processes. It operates through flexible processes and active participation of the parties/subjects.

The most frequently used forms of ADR in the European Union include arbitration, conciliation, non-binding opinions, «amiable compositeurs», mini-trials, ombudsmen, negotiation, and mediation.

The European Union has made considerable efforts to encourage the use of ADRs for many

kinds of claim and conflict, including issuing guidelines to offer citizens security when using ADRs for domestic and cross-border conflicts. At first, various Recommendations were issued to encourage æ though not oblige æ national governments and Parliaments to recognize and introduce mediation in various areas, such as family¹ and consumer² mediation in 1998 and criminal mediation in 1999³.

But in 2008 European Union established a time limit, 21 May 2011, by which European Union Member States had to incorporate mediation on civil and commercial matters into their legal system in compliance with provisions of the Directive 2008/52/EU of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters⁴.

This directive defines mediation as A structured process, however named or referred to, whereby two or more parties to a dispute attempt by themselves, on a voluntary basis, to reach an agreement on the settlement of their dispute with the assistance of a mediator. This process may be initiated by the parties or suggested or ordered by a court or prescribed by the law of a Member State (article 3). Mediation thus seeks to avoid litigation, presuming the good faith of the parties and aiming to assist the parties in freely reaching an agreement without it being imposed by a third party. The directive focuses on the figure of the mediator, which means «any third person who is asked to conduct a mediation in an effective, impartial and competent way, regardless of the denomination or profession of that third person in the Member State concerned and of the way in which the third person has been appointed or requested to conduct the mediation» (article 3). With good reason, the Directive establishes the most important principles for mediators as impartiality and competence (article 4), and confidentiality (article 7).

Law regarding mediation in Spain began to take shape following the 1998 Recommendation on family mediation, as a result of which Autonomous Communities began to enact related le-

gislation, the first example occurring in Cataluña in 2001. The 2008 Directive created the need to implement nationwide legislation applicable not merely to family disputes, but also to conflicts in other areas. The Law 5/2012 of 6 July on mediation in civil and commercial matters (*Ley 5/2012 de 6 de julio de mediación en asuntos civiles y mercantiles*, hereinafter «the Mediation Act») offers a common framework in Spain to practice mediation in all these fields.

Mediation is regulated in Europe and in each national state. We know exactly what mediation is, the principles, process and result of mediator's intervention. Now the debate is about the limits and contributions of this ADR.

In this article we aim to offer a critical review of the status of mediation in relation to social work. The evolution of mediation from an action or technique, which is a part of the social worker intervention, to a new profession requires a review of the limits and contributions of this alternative dispute resolution. We will focus the attention to community mediation, which goes beyond a mere conflict management becoming a perfect tool for achieving a changed understanding of public social services, seeking to encourage citizens to participate in and take responsibility for community life. Mediation in this context has certain peculiarities, and at times confusion may arise between the figures of social worker and mediator.

1. Social Work and Mediation

Numerous professions address disputes, with judges, lawyers, psychologists, negotiators, experts, arbitrators and, of course, social workers all taking intervention in situations of conflict as the basis for their activities. However, each one of these professions analyses conflict differently, in terms of the approach, the function of the professional, the methodology employed, and even the objectives of the intervention.

When mediation became part of the professional landscape, many professionals argued that

¹ Recommendation R(98) 1 of the Committee of Ministers to Member States on family mediation of 21 January 1998

² Commission Recommendation 98/257 of 30 March 1998 on the principles applicable to the bodies responsible for out-of-court settlement of consumer disputes (Official Journal L 115, 17.4.1998, 31 ff.), pp 0031-0034, and Commission Recommendation 2001/310 of 4 April 2001 on the principles for out-of-court bodies involved in the consensual resolution of consumer disputes (Official Journal L 109, 19.4.2001, 56 ff.).

³ Recommendation (99) 19 of the European Council, on mediation in criminal matters

⁴ Official Journal of the European Union, 25.4.2008 L136/3.

their profession had been practising mediation for years and that they were therefore «mediators».

It is also clear in the case of social work, given that conflict mediation figures among the functions of the social worker as listed in the official code of ethics for the profession, at least in Spain. The Code of Ethics for Social Workers (*Código Deontológico de la profesión de Trabajador/a social*), approved on 9 June 2012 (effective from 29 June of that year), defines social work in its article 5 as the scientific-professional discipline that

Promotes social change, resolution of problems in human relations, and the empowerment and freedom of persons to improve their well-being. Through the use of theories on human behaviour and social systems, social work intervenes at the points where persons interact with their surroundings.

Article 6 of the same Code establishes that the

Social Worker is a physical person holding any official title empowering them to practise the profession of Social Work, obtained at any Spanish university. Professionals whose Social Work qualification has been granted by other Member States of the European Union must present the corresponding accreditation thereof in order to practice the profession in Spain, or the recognition of any qualification granted by another country.

Mediation is not a new action or technique for social work. Rather, social workers have been carrying out this function (General Council of Social Work, 2014, p. 19). The pairing of mediation and social work is seen from the beginnings of the discipline, with such important figures as Lisa Parkinson⁵ and Haynes⁶, both social workers and pioneers in mediation, who analysed its application to family conflicts and particularly in the context of matrimonial crises.

However, the mediation boom has required to establish the limits of both professions. The wi-

de range of regional and national regulation as regards mediation, as seen in the foregoing section, the inclusion of mediation in academic social work curricula, and the wide availability of mediation training in vocational colleges all provide social workers with a new niche of work, increasing their expectations of employment through specialisation. But this boom also requires a reassessment of their work as mediators and its distinction, if any exists, from the profession of social work.

If we ask ourselves whether mediation is a new profession in itself, there is no easy answer to be found. The professional world is constantly changing, as it has to respond to new and evermore complex needs. Added to this are the different types of professions, it being possible to distinguish regulated professions, unregulated and open ones, professions requiring an academic degree (a subspecies of regulated professions), professions requiring a degree but without a professional association, those with a professional association but without an official academic degree, closed professions, and so forth.

We agree with Martin (2001) that mediation presents the main aspects to be satisfied in order for it to be considered a profession:

- It is a discipline with a specialised body of knowledge and practical skills.
- The acquisition of these theoretical and practical skills occurs in a specific and authorised manner.
- It is a regulated and self-regulating activity.
- It plays an important social role.
- It may constitute the permanent activity of a professional and act as their source of remuneration.
- It has professional associations that determine its professional profile, establish its regulations and promote its development.
- Finally, it has its own professional ethics.

⁵ Lisa Parkinson has been a practising mediator since 1978 and is a founder member of the European Forum for Family Mediation Training and of World Mediation Forum. She was qualified as a social worker in Bristol. Her experience as social worker and family therapist convinced her of the need for family mediation. She was co-founder and first co-ordinator of Bristol Family Mediation (the first family mediation service in the UK) and of the NFCC (precursor of NFM).

⁶ John Haynes played a major part in achieving the inclusion of mediation into the family law act 1996. His books formed the core of this new discipline and included *Divorce mediator: a new role* (1978) and *Divorce Mediation: A Practical Guide For Therapists And Counsellors* (1981). He was a founding member of the World Mediation Forum.

In 2011, the Spanish General Council of Social Work (*Consejo General del Trabajo Social*) set up an expert group specifically to try to answer this question and to promote mediation among social workers. The outcome of its work was a document establishing action lines for social workers in the practice of mediation, distinguishing when they were acting as social workers but using mediation tools from when they were practising a profession different to that of a social worker, which they describe as «specific professional action».

The Code of Conduct for social workers was also approved at the same time by the General Council of Social Work, applying to social workers when practising mediation as a specific professional action and containing the norms and rules required to guide the professional actions of all social work professionals that use mediation as a method to manage and resolve conflicts. This Code seeks to provide standardised regulation for the individual conduct of social work professionals in the field of mediation.

The Code affirms that mediation and social work have in common the aim of empowering people on the basis of the principles of equality, justice and social well-being and the search for consensus and understanding among people, groups and communities. Both professional actions pursue respect for human rights and the ideals of equality and social justice (General Council of Social Work, 2014, p. 22)

Both mediation and social work intervene in situations of conflict, but with an important difference. While there is no intervention without conflict in mediation, social work action has a much broader scope, since intervention may occur even in contexts where there is no conflict, with the purpose of fostering well-being, promoting social and individual changes, strengthening their realisation, and developing social policies and human-social activities aimed at satisfying the needs and aspirations of individuals and groups.

Mediation is focused on the provision of a service – the service of a professional mediator, who offers their knowledge and their techniques to achieve a primary objective, which is the proper management of a conflict and achieving an agreement. Mediators are impartial and neutral professionals who, with the right skills, can facilitate communication and negotiation between the parties through a procedure designed to that

end. For social workers, their function involves establishing a close relationship of support and involvement with the purpose of accompanying individual users in the processes of social integration and increasing their levels of well-being. That is, social workers' interventions do not necessarily have to be neutral and impartial; they may go beyond such limits.

But the main difference undoubtedly lies in the methodology employed. Following Martín (2001) when a social worker intervenes to resolve a conflict, they do so as one more activity within an intervention plan that has been designed for the case at hand, without prejudice to the inclusion of certain techniques from other disciplines (potentially including mediation). However, mediation does not use the methodology of social work, but rather takes its own specific approach to achieving its sole objective, the resolution of the conflict.

Within social work, we can distinguish two kinds of «mediation» intervention.

1) As an intermediary between those finding themselves in a situation of difficulty and social institutions or organizations, and between organizations and institutions offering support to individuals with particular needs.

2) As a social worker who, as part of their intervention, uses techniques from other disciplines, including psychology, law and mediation, without this implying a professional intrusion. The mediation carried out by social workers within their own sphere of activities is actually located within the colloquially accepted meaning of the term, rather than adhering to its technical-specialist meaning in the context of conflict resolution.

We may conclude, therefore, that social workers will only be carrying out professional mediation when:

- Their sole purpose in intervening is to negotiate in a conflict.
- They have a professional qualification in that regard.
- Their intervention is neutral, impartial and confidential, in accordance with the code of ethics of mediators and not of social workers.

The isolated use of mediation techniques in the context of any other intervention does not

turn it into mediation, since it is not the techniques but the method that frames them and our purpose in using them that define our interventions, with one type differentiated from another on this basis.

2. Community mediation: special characteristics

As managers of social conflict in the community, social workers have pursued the objective of encouraging the conflicting parties themselves to become the active protagonists of their conflict resolution, such that those parties may become better integrated within social and community life (General Council of Social Work, 2014, p. 27). Of particular significance in this context is the concept of *citizenship*, understood in the sense of a civil society with rights and duties in connection with the public space.

In The Global Agenda for Social Work and Social Development Commitment to Action, which summarized the most pressing challenges now facing Social Work, commits to advocating methodological approaches that support community empowerment in addition to resolving to work in collaboration with others to develop strong, inclusive communities «that enable all members to participate and belong», striving thereby to achieve social and economic well-being for all. Social workers can implement any tool or methodology within their scope and coherent with their code of professional ethics to achieve this aim, whether it be empowerment, participation, diagnosis, dialogue or mediation.

Community mediation includes all manner of conflicts arising within the context of citizens exercising their rights or deriving from community life. This is essentially the same as saying any possible conflict may fall under the umbrella term «community».

It may be argued that, in all areas, mediation fulfils a *pedagogical function* in the sense that the proper management of conflicts permits parties to recover or develop skills that assist them in solving future problems. Greater citizen participation and increased responsibility in conflict resolution processes undoubtedly also implies improved observance of the terms of agreements reached. There is a higher degree of compliance with agreements achieved through mediation than with solutions imposed by third parties, which supports the claim advanced in the Global

Agenda for Social Work (2012) that mediation represents a more sustainable form of conflict resolution system.

Mediation does not merely strive for a realistic analysis of conflicts. It also pushes for realistic agreements that do not require short-term reviews or changes but instead offer on-going solutions. In this regard, mediated solutions ought to incorporate all the situations that may arise in the future and should also attempt to predict and provide for any difficulties relating to compliance with the agreement reached.

But what is undoubtedly truly new about the mediation that is taking place in the community context is the objective: to encourage citizens to participate not only in managing their own conflicts, but also in public policy. In short, the aim is to develop active citizenship. Community mediation is a social service allowing real citizen participation in public policy and in the taking of decisions affecting citizens, which is in itself a fundamental citizen's right. It aims to improve mutual recognition between the conflicting parties and to secure the legitimacy of all interests and contributions.

Mediation in this field is not only a human resource and a civic tool allowing the members of a society to manage and resolve disputes (Nató, Rodríguez Querejazu & Carvajal, 2007), it is also a perfect tool to create and repair the social fabric in order to re-establish close relations, and is a means of access to justice permitting the peaceful resolution of any dispute among the members of the community. This framework encompasses social conflict at the time and in the place that it occurs, and also involves working together with all the groups and individuals affected to ensure the prevention and resolution of their conflicts (General Council of Social Work, 2014, p. 28).

The objective is to create a «mediation culture» among citizens, politicians and professionals, which will then be reflected in the management of community conflict. Mediation allows for the inclusion of skills and techniques favouring pact culture and a creative and positive approach to conflict resolution.

As De Miguel (2005) affirms:

Community mediation is above all a powerful tool for democratization, which acts on interpersonal and community levels by way of the provision, availability, and/or construction of spaces for dialogue that guarantee (to a greater extent

than other forms of social action) the expression of all voices involved in the process of constructing a better society in which to live (p. 13).

We can conclude that the main aim of community mediation, as with any other kind of mediation, is to properly manage conflicts. Offering the citizen systems or tools to foster effective citizen participation is a secondary objective. Among these functions are diagnosing, activating and reinforcing the status and development of citizen participation in the municipality, being aware of everyday neighbourhood life, having in-depth knowledge of the resources available to the municipality, and acting as a channel of two-way, dynamic and fluid communication between the public authority and local residents (Arteaga Moralejo, García Casares, R. & Sánchez Cuenca., 2006, p. 39).

So the role of the community mediator goes beyond mere conflict management, encompassing the activation and strengthening of community life and neighbourhood relations, and requiring actions not contemplated in other types of mediation. But even in these cases, the scope of activities of the mediator can never be as broad, or as focused on social intervention, as that of the social worker (Munné *et al.*, 2011, p. 377). The Code of Ethics for Social Workers includes mediation among its functions but also recognizes others including information, investigation, prevention, support, direct care, promotion and social integration, planning, administration and management, evaluation, supervision, teaching, and coordination.

3. Social Work and Mediation in the Community

Mediators are key to the success of any mediation, for which reason both the 2008 Directive and the Mediation Act 5/2012 (on mediation in civil and commercial matters) focus on the legal status of mediators. This includes the principles on which they must base their actions and the training necessary to provide mediation services and guarantee the quality of those services.

European and Spanish regulation establishes various conditions for acting as a mediator. The professional must be a natural person with full civil rights, in possession of an official university degree or higher professional training qualification, and must have specific training in the practice of mediation, which is to be acquired

through one or more specific courses taken at duly accredited institutions (Article 11 Mediation Act 5/2012). The regulation also sets forth two systems to guarantee the quality of mediation: initial and continuing training for mediators, and voluntary adherence to Codes of Conduct (Article 12 Mediation Act 5/2012).

Moreover, in some countries such as Spain it is also mandatory to be on a register of mediators and to obtain civil liability insurance. This would be applicable in any area of «civil and commercial» mediation according to the 2008 Directive and the laws of EU Member States, including Spain.

It is possible to practise the profession of mediator with very different backgrounds. One may have trained in law, psychology, social work, or in any other discipline forming part of the social or even natural sciences. There are specific areas in which complementary training is also required in order to be able to practise mediation, such as special training in particular legislative areas for tenancy or insolvency mediation.

There are no rules in this regard in the community context. As such, the training required of a mediator is not regulated. Some training in humanities tends to be considered necessary – but there is no provision for where the training must be obtained or the number of hours to be completed.

The fact that mediation in the community context is generally carried out through social services and that a large proportion of community mediators have originally trained in social work permits one to conclude that it is necessary for community mediators to have knowledge of social work and community development (De Miguel (2006, p. 19).

But one may ask: do community mediators need to have training in community social work or community intervention? Or, rather, should training in mediation be given to community social workers? This issue must be addressed, since as we shall see, this type of «mediation activity» is very often provided as an extra service offered by public authorities.

Bonafé-Schmitt (1992) identified the creation of an institutional space (a professional service) to resolve community conflicts as a «mediation act», for which purpose community mediation needed a publicly owned, universally accessible and free space in order for it to be of-

ferred as a professional service. Community mediation services are generally municipal in character, and are offered through local councils, whether through Social Services Councils (*Consejerías de Servicios Sociales*), through the municipality, or linked to the citizen participation services provided by local councils (De Miguel, 2006, p. 14). Mediation may be offered as a single service, where various smaller municipalities with shared cultural, economic, or historical characteristics pool responsibility for its provision. Supra-municipal mediation services are also possible, involving administrations with a larger-than-municipal scope, such as a district, province, region and/or governmental department providing the mediation service to the municipalities within.

The service may be provided in various manners. It may be in-house, mediators already being municipal employees or contracted by the local council to work in the mediation service. It may also be outsourced, as in the case of companies and not-for-profit organizations that, through tender processes, hire, supervise and train the mediators. On occasion, there may even be a hybrid system within which local council mediators work alongside those of an external entity, generally in a management system under which the in-house mediator assumes organizational responsibilities with regard to the team.

The fact that community mediation is generally offered by local councils and depends directly on the Social Services Council means that the majority of community mediators will have originally received training in social work.

They are particularly well suited to participate in the community sphere due to their knowledge of the administrative structure of Social Services and of social intervention – but they are not the only professionals capable of acting as mediators. In fact, in some fields such as environmental or intercultural mediation, specialist technical, linguistic or cultural knowledge may be of greater value than other qualities.

However, as previously stated we must take into account that the functions of mediators and social workers are mainly distinguishable because social workers can cover all duties relating to the community context, rather than merely those pertaining to the task of mediation. That is, while mediators can only mediate or manage con-

flicts, social workers can carry out many other tasks, as their professional code provides.

At this stage, it is necessary to identify the differences between the functions exercised by the two types of professional in this specific context.

The first difference relates to the status of the mediator, since both Spanish and European regulation focus on the principles of impartiality, neutrality and confidentiality to define and limit the scope of action of the mediator. These principles frame the difference from the actions of a social worker, who does not always have to act in confidence (at least not with particular institutions), and who is naturally not always neutral or impartial given that certain tasks such as evaluation, supervision, advice and assistance are included within the social worker's professional code but would not be compatible with this activity. Neutrality is not a basic premise in the role of a social worker, whereas it is indispensable for a mediator.

The second difference lies in the attitude of the parties to the mediation, who make use of the service for a specific reason and, above all, are obliged to adopt a particular attitude. The Mediation Act refers to «the rules or guidelines that should guide the actions of the parties to the mediation, such as good faith and mutual respect, as well as their duty to collaborate with and support the mediator». The principle of good faith aims to guarantee a collaborative attitude and action by the parties in resolving the conflict and interacting with other participants in the process. This principle is reflected in the need to treat *the other party* appropriately, which is shown by respecting their right to speak and having a positive and sincere attitude during the negotiation. In fact, among the techniques of mediation, empowerment, recognition and legitimation of others are essential in order for the process to be a successful one. But this principle also acts upon the mediator, since the parties will have to maintain their undertaking to respect the actions of the mediator, retaining a collaborative and support position at all times with respect to the mediator's functions as well as offering accurate and complete information with regard to the conflict.

Finally, mediation is distinguished from social work on the basis of the *methodology* it employs. The mediation process is fully structured and defined in the Mediation Act, with specified aims and possible outcomes. Similarly, according to whether the school of mediation chosen is Har-

vard, transformative, or circular-narrative (García, 2006), the aims of the mediation process will be very different. The main feature of the mediation process is its freedom and flexibility, necessary so as not to constrict dialogue between the parties and the generation of proposals. However, this cannot prevent the mediation requiring a process, understood as a succession of necessary and consecutive stages and without which we would not properly be referring to mediation. For this reason, the title IV of the Mediation Act regulates the mediation process, devoting articles 16 to 24 to defining the minimum requirements in terms of stages and actions of the process.

The actual mediation stage commences with the initial agreement to submit to mediation (*acta constitutiva o inicial de la mediación*) (art. 19), which contains the agreement of the parties to respect the principles of mediation and particularly the confidential nature of the process. It is required that the process take as little time as possible (art. 20) and that a document be signed certifying that the process has been duly completed (*acta final de la mediación*) (art. 22). This document identifies the causes of the termination of the process, one of which (though not the only possible cause) may be the achievement of an agreement, the content of which will be specified in the document if applicable.

This process is specific to and based on respect for the principles of mediation. Not all of these principles are met in interventions in community contexts. It may, then, be said that mediation employs its own methodology and specific objectives that do not coincide with the methodology of the social worker.

4. Conclusion

Mediation is a form of ADR that seeks to avoid litigation and is predicated on the basis of the parties acting *in good faith*. The aim of mediation is to allow the parties to reach an agreement without it being imposed by a third party. Mediation has been regulated at national and European level, with its principles, processes and outcomes clearly defined. The debate now revolves around its limitations and contributions.

The development of mediation has required social work to consider the limits it faces as a profession. Both mediation and social work intervene in situations of conflict, but with significant differences.

Mediation focuses on providing a service; that of a professional mediator who offers their *savoir faire*, knowledge and techniques to achieve a key goal, that of properly managing the conflict and producing an agreement. Mediators are impartial and neutral professionals who, with the appropriate skills, can facilitate communication and negotiation between the parties through a procedure expressly designed for that purpose.

If we analyse the functions of social workers according to their professional code, we may affirm that the scope of activity is greater than that of a mediator. Social workers can diagnose, advise, guide, direct, protect and also assist in conflict management. It is hence necessary to clarify when social workers are acting as such and when they are acting as mediators.

As we have seen, social workers are only carrying out professional mediation when the objective of their intervention is merely to negotiate in a conflict, when they have the relevant professional qualifications (that is, at least 100 hours' postgraduate training), and when their intervention is neutral, impartial and confidential, following the mediator's and not the social worker's professional code.

Community mediation is one of the fields in which mediation has certain features that may result in it being confused with the intervention characteristic of a social worker. This is mainly due to this type of mediation being generally offered through local social services, and social workers tend to be the ones responsible for carrying out this form of mediation.

The fact that social workers are better prepared than other professionals to practice community mediation is essentially due to the requirement in this area that the mediator carry out other additional functions. Social workers are well-trained with respect to such functions, which include encouraging participation, being engaged with community life and having in-depth knowledge of community resources.

However, important differences remain between the professions. Mediators have a commitment to the mediation process and to equality and respect for all the parties involved therein. For this reason, we must affirm that community mediation is a profession that is different from social work, requiring different academic training and with distinct ethical principles and pro-

fessional codes. Mediators are fundamentally guided by the principles of neutrality, impartiality and confidentiality and the parties must act in good faith during the process, which also has its own stages and structure.

University programmes should recognize this relationship and accord it the relevant prominence, both to assist in distinguishing the professions and to encourage their students to value mediation as a viable professional career.

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