

MEDIATION SERVICE POLICY

1. Policy statement:

Workplace mediation is a well-recognised and effective process to help resolve workplace conflict or tension between colleagues. It can be a way of avoiding use of a formal grievance investigation and procedure.

2. What is Mediation?

Mediation is a process by which a trained mediator helps people in disagreement or conflict work out an agreement. It is the parties involved in the mediation, not the mediator, who decide on the terms of the agreement. The meeting can be facilitated by one or two trained mediators depending on the case. The process is voluntary and confidential throughout. The outcome of mediation is often an agreement which focuses on improving relationships and conflict resolution.

3. Is Mediation available to all staff?

- It is available to all staff.
- If appropriate, any formal process that has been initiated will be put on hold for the duration of the mediation.
- It is quick and can often be organised swiftly, normally within 2 weeks of parties agreeing to mediation.
- It is informal, confidential and without prejudice.

4. What are the aims of mediation?

- To resolve disputes at an early stage and reach more satisfactory outcomes.
- To provide a genuine alternative to employees in dispute outside the formal procedures, where the resolution is achieved quickly through discussion in a controlled environment.
- To provide employees with a means of dealing with conflict at an early stage, avoiding stress, absence and other issues that disagreements cause.

5. The Mediation Service

The mediator will usually be a company employee who has been trained in mediation. In some cases an external mediator will be used.

The mediator will give information on the process and reassurance about its confidentiality and voluntary nature.

Mediation can only be used where both parties in dispute agree to mediation and want the conversation to be and remain confidential. Mediation may, if appropriate, be suggested after a person has made a grievance relating to a disagreement with another member of staff.

6. The Mediation Process

After mediation has been agreed to by the parties and the mediator has confirmed that mediation is suitable for the circumstances, a date for mediation will be set. Mediation will normally be arranged quickly and the actual mediation will be completed in one day. Individual parties will normally be met by the mediator in the morning to each discuss their case. In the afternoon there is usually a joint party meeting which is a confidential and facilitated discussion aiming to move towards an agreement by the

close of the day. The agreement can be either written or verbal, if it is written, only the parties involved and the mediator and a suitable member of Company management would see the agreement, unless both parties agree for another party i.e. their line manager to see the agreement. Should the mediation require any further contact, this would be agreed during the joint meeting.

For the avoidance of doubt, no party will be prevented from disclosing to the Company any behaviour or conduct taking place during a mediation that they consider to be improper or inappropriate.

7. Examples of when mediation is most effective:

- The parties know one another.
- Maintaining a working relationship with the other party is important.
- Relations have not entirely broken down and there is potential for agreement.
- Tensions or emotions are impeding communication.
- The parties work together or for other reasons cannot avoid the conflict situation.
- The parties doubt their own ability to work out the problem.
- Both parties wish to avoid formal proceeding or do not feel that they are yet essential.

8. Examples of when mediation is not appropriate:

- Where there is potentially criminal or illegal activity involved.
- Where there is any allegation of serious harassment.
- Where there is reason to believe that conduct warrants/necessitates a formal disciplinary process.
- The parties involved have no control over the issue in dispute.
- Parties are unwilling to participate.
- Parties do not wish the process to remain confidential i.e. they wish to discuss details with a representative.

In the event that one or more of these situations become apparent during mediation or one of the parties behaves in an a manner that the mediator deems inappropriate, the mediation process will cease.