

What is mediation?



Mediation is where an impartial third party, the mediator, helps two or more people in a dispute to attempt to enable them to reach an agreement.

Why is it important?

Mediation is being used increasingly within the workplace to resolve workplace disputes. The ACAS Disciplinary and Grievance Code of Practice refers to the use of Mediation and the government has signalled its intention 'to build a new approach to resolving workplace disputes' through the use of Mediation.

The government's stance arises in part because in today's climate of constant change, conflict is being accepted as an inherent part of the employment relationship.

What is the role of the Mediator?

Mediation is voluntary and confidential. The mediator's role is to facilitate the mediation process, by exploring the issues and feelings of those involved, giving insights into the impact of actions and behaviour and to encourage communication.

The role of the mediator is not to judge or to decide who is right or wrong or to decide what those in the mediation should do. The role is to facilitate an agreement between the parties.

What is the risk?

Previously, mediation has been used once work relationships are on the point of breaking down. Today, the emphasis is on using mediation at an earlier stage as an alternative means of preventing a breakdown. It is regarded as being informal and speedy. The solution is owned by the parties as opposed to a more formal approach which may force an agreement on the parties. It is also regarded as a means of improving employee engagement levels.

What is the format?

The format will change from case to case, however the main stages are:

- Information gathering: this is where the mediator meets each party separately to understand the dispute and determine what each needs to move on.
- Feedback: both parties need to be made aware of the other's claim and what might be required from them to reach a resolution.
- Mediation: both parties are brought together to reach a resolution.

What is the desired outcome?

The outcome is to help people work together more effectively. This can be via the restoration of communication channels, acknowledgement of proper working practices or another appropriate solution.

A CIPD employers survey found that 82% said that mediation had resolved the issues either completely or partially.

How we can help

For a full range of development programmes please contact us:

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