

## **Workplace Mediation - FAQs for HR**

Workplace mediation is a very powerful tool for resolving conflicts and disagreements in organisations.

### **What situations is mediation typically used for?**

- Resolving tensions between members of staff, especially when they arise from differing styles of behaviour or communication
- Defusing a situation where a manager is seeking to performance manage a direct report and that person perceives this as bullying
- As an alternative to invoking formal processes such as grievances or disciplinaries
- Rebuilding a relationship after a member of staff has been through a formal process

### **What outcomes can it deliver?**

- It gives employees an opportunity to work out their differences themselves rather than the organisation having to impose a solution, which might mean losing one or both members of staff involved.
- It provides a space to clear the air, lay the past to rest and move forward, rebuilding an effective working relationship.

### **Who can take part?**

The process can be used for just two people or for whole teams. It works equally well between peers or with senior-junior relationships.

### **How does the process work?**

The stages in the process are:

- Gather background information
- Meet each individual separately
- Bring all participants together for one or more meetings and record the action plan they make
- Follow up with them separately to see how well the action plan is being implemented
- Report back to the organisation

### **How long does it take?**

Typically, a mediation will take 12 hours, staged in a series of meetings over 2 weeks. However, in urgent cases the mediation can take place in one day.

## **What information can the organisation expect to receive at the end of the process?**

I aim to get the participants to map out an action plan for how they intend to work together in the future. The action plan will typically cover:

- Clearly identified behavioural changes (SMART objectives) that each will commit to in order to improve their working relationship
- A structure for how they will monitor the implementation of the action plan (e.g. weekly check in meetings)
- Agreement on what additional support they will use to stay on track (e.g. line manager, HR, follow up session with mediator)
- Agreement on how much detail of the action plan they will share with the organisation.

I will encourage them to share the actions with you and seek your support in implementing them.

## **How does confidentiality work? Is the process “off the record”?**

The content of what I discuss with the participants is entirely confidential and “off the record”. It cannot be referred to in a grievance or disciplinary or externally in a court or tribunal (what lawyers call “without prejudice”). These agreements are essential so that the participants feel safe to speak honestly.

I ask all participants to sign a short confidentiality agreement confirming this and I will let you have a signed copy for your file.

## **How do we get started?**

- I suggest you talk to the participants about the process and get their agreement to give it a try. I can send you a Guidance Note for Participants which explains the process from their point of view.
- If they are reluctant to take part I can speak to them on the phone and talk through the process with them and address any concerns.
- If they still have reservations then an option is to attend an initial one to one meeting with me to explore what mediation could offer them. They can decide after that meeting whether they want to go any further with the process.

## **I’m not sure if this situation is suitable for mediation. What should I do?**

Call me to talk it through and I’ll advise you whether or not it is suitable. Not every situation is suitable for mediation and I will be able to guide you on this.