

Suffolk County Council's Workplace Mediation Service



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The Council's Workplace Mediation Service (WMS) is open to all Council and Suffolk Fire and Rescue staff and is a way to resolve conflict between parties. Mediation is available at any time, no matter what the issues are, how the parties are feeling, or who the conflict is with.

NB: We also offer Mediation Services to partner organisations (*please email the Service for a quotation*).



Mediation is a way of talking through difficulties and problems at work, with the help of an impartial third party. The people directly involved, not the mediator, make their own decisions. It provides a structured, informal way of resolving complaints, grievances and disputes.

When would you use mediation?

Most kinds of disputes can be mediated as long as those involved want to find a way forward and for things to be different. Mediation is most effective the earlier it is used. However, there may also be situations in which formal complaints are underway or have already taken place where mediation can be invaluable as a way to repair working relationships.

Key principles of mediation

- ◆ It is a voluntary process – both parties need to agree to go to mediation for it to go ahead;
- ◆ It is confidential – discussions are purely between the people involved and the mediator;
- ◆ The mediator is impartial and independent – not there to take sides but to help everyone to speak and be listened to;
- ◆ It is flexible and allows for creative discussions that meet both people's needs; and
- ◆ Mediation is a structured but informal process which brings people together in the presence of two independent, impartial and skilled mediators to agree constructive resolutions.

- ◆ The aim is to allow all parties to speak confidentially in a safe and secure environment and to encourage a mutual understanding to improve working relationships in the future. Mediation is future focused.

What does it mean to say a mediator is impartial?

A mediator is not there to 'hear the case' and make a judgement. He or she will not take sides: a mediator has no vested interest in the outcome, and will not impose a solution or attach blame.

Why choose mediation?

Because mediation is not seeking a culprit it can help rebuild relationships and restore broken communication and trust. It is ideal to work through difficulties arising because of personality clashes, breakdown in communication, disagreements over work style or behaviour. It is fast, private, and very effective.



How mediation can help

Mediation can:

- ◆ Reduce levels of stress around a difficult relationship;
- ◆ Improve communication and working relationships;
- ◆ Ease transition back to work after a formal process, or a long-term sickness absence;
- ◆ Provide a solution which works for everyone and which is flexible and enduring and meets the needs of all involved;
- ◆ Be used before, after or as an alternative to a formal process; and
- ◆ Be relatively speedy.

What is the process?

To use the Workplace Mediation Service, the line manager (or their manager if the issue is with the line manager), will need to make a referral to the "Workplace Mediation Service" by emailing: mediation@suffolk.gov.uk. A **mediation request form** is then completed and the mediators and a neutral venue are booked for a mutually agreeable time.

Both parties will need to provide the person making the referral with a few dates that they would be available for the mediation. This will need to be a full working day (09:00-16:30). Both parties will also be required to sign a Confidentiality Agreement prior to the mediation.

On the day

Both parties meet separately with the mediators in the morning of the mediation. Written confirmation of the date, time and venue will be sent to both parties in advance. Usually the first individual meeting is at 09:30 and the second at 11:00.

Individual meetings

The mediators will meet individually with each party. They will:

- explain how mediation works;
- give each party the chance to ask any questions about the process;
- ask each party to explain the situation from their own perspective and what they would like to achieve through the mediation process;
- these meetings are confidential and will not be shared with the other party; and
- each party will then be asked if they would like to go ahead with the mediation in the afternoon.

Once both parties have met with the mediators in the morning, the mediators will decide whether, or not, the afternoon joint session will proceed and will contact both parties to confirm.

The joint meeting

There will be a break between the morning and afternoon sessions. Refreshments will be provided, but lunch is not included.

The mediators will encourage the parties to discuss the situation honestly and frankly with each other, to look at the problems in turn, to move towards a mutual problem definition and then ideas for solutions.

The mediators are there to support both parties and maintain a safe environment and to ensure that both parties have the opportunity to speak and be heard.

Mediation does not always feel 'comfortable' - some things may be difficult to say, or to hear. Mediation helps parties to talk about the things they need to discuss, in a safe way. The outcome of the session is dependent on the commitment and input from the individuals to the session. There is no guaranteed outcome, but mediation achieves positive outcomes in about 80% of sessions.

Reaching agreement

The mediators will then help both parties to reach an agreement which meets everyone's needs which is workable and realistic. This agreement belongs to the parties; it is not shared with anyone and does not form any part of an individual's employment contract.

After the session

No report is provided to the manager/referrer. An action plan or agreement would only be shared with the manager/referrer if both parties agree. There will be a follow up session with the mediators three months after the joint meeting. This session is not for going over old ground, but an opportunity to build on the progress that has been made. This follow up session is also voluntary and both parties have to agree between themselves whether or not they wish to utilise the follow up session. Once the follow up session is complete (or a decision taken not to go ahead), the mediation process is complete.

Is the mediation confidential?

Yes. What is discussed in mediation stays within the session. Any notes taken during the session are confidentially destroyed. Nothing from the session is shared with anyone else, including HR or the manager/referrer, unless both parties agree. There are two exceptions to confidentiality: someone is at risk of serious harm (including safeguarding concerns); or disclosure of criminal activity. Either of these disclosures would mean that the mediators may contact a relevant authority about these specific matters. The mediators will inform the party involved, before doing so.

Who are the mediators?

The Council's Workplace Mediation Service is provided by a team of workplace mediators who have been trained, assessed and accredited by CMP Resolutions and endorsed by the Institute of Leadership and Management (ILM). The mediators come from different parts of the Council.

What are the values of mediation?

The Council's Workplace Mediation Service is based on clear values and principles which underpin this informal yet structured process.

These are:

- ✓ **Impartiality**
- ✓ **Confidentiality**
- ✓ **Independence**
- ✓ **Equality of opportunity**
- ✓ **Participation**
- ✓ **Collaboration**
- ✓ **Non-discriminatory**
- ✓ **Non-judgemental**

Group Mediation

In addition to offering mediation for two parties, we also offer mediation for small groups of staff.

Group mediation or team rebuilding helps when a team is in conflict and team members are expressing their anger, resentment, fear, and demonstrating high stress levels.

Sickness levels may be high, and performance low. Is this 'personality clashes' that need mediating, or is this a group out of alignment? This is when our group mediation or team rebuilding service, can help.

Our group mediation process

- We identify why a group has stopped working – and share this insight with them so the process acts as experiential development;
- We bring each member of the group on board with the process of change, and rebuild the team slowly and steadily through a four-stage process.



Our mediators look at:

- What is going on – by listening to each person's story, manage their expectations and bring them on board;
- What has got to change – usually a whole-group meeting where the group is supported to look together at their issues and feelings;
- What are they going to do – we work towards SMART (Specific, Measurable, Achievable, Realistic, Time based) agreements for actions for change; and
- Who needs to help the team – if needed, we run a debrief or buy-in session with managers, HR or other stakeholders, in order to support the change.

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Time to start piecing it back together

I can't communicate with him
He is so lazy
I have so many deadlines
His fault
How did it get to this?
I want him to improve
I want to change this
Our team isn't performing
I want recognition
I need help

I dread meetings with her
She doesn't notice my work
She is never around
Her fault
When did it go wrong?
I need more support
I want to make this better
I'm embarrassed
It's affecting the whole team
I need help

...a Workplace Mediation Service to aid resolution of workplace disputes.
It is an informal process, and is entirely confidential.

Why wait?

mediation@suffolk.gov.uk