# **Internal Staff Mediation Service Guidelines**

## **Introduction**

At Queen’s University we seek to ensure all individuals are treated fairly and with “dignity and respect” (Equality and Diversity Policy). This commitment applies to everyone who works in the University. The aim of the internal staff mediation service is to provide an informal way to quickly and effectively resolve conflict within the work place and further embed a positive organisational culture.

Mediation is defined as “a process by which an impartial third party, assists people in dispute or conflict with each other, to explore and understand their differences and if possible reach a mutually acceptable solution to their dispute, in a voluntary and confidential manner”.

Mediation is both voluntary and confidential and is now widely considered as one of the most effective methods for resolving disputes in the workplace. Early intervention in workplace disputes through mediation is favoured, to avoid entrenchment and irreversible relationship damage.

## **Mediation and Formal procedures**

Mediation sits alongside the informal stages of the discipline, grievance and bullying and harassment complaints procedures and staff are encouraged to use the service when appropriate. In the event that mediation does not resolve the dispute, the relevant procedure may be applied.

Mediation does not replace the University’s formal discipline, grievance and bullying and harassment complaints procedures and the University reserves the right to implement these processes wherever it deems appropriate.

## **Use of the internal staff mediation service**

In most instances, workplace conflict between individuals is resolved informally as part of normal working practice.

The following are possible scenarios when the use of mediation is appropriate:

* Mediation works when there is a breakdown in the relationship between employees;
* and there is a strong emotional content to the dispute or;
* who need to have regular and ongoing professional interaction or;
* and the parties involved want to avoid formal processes and are willing participants
* Bullying and harassment has been “perceived”.
* The Line Manager is not well placed to deal with the issue, for example, the manager may be perceived as biased or as favouring one side over another.

There are situations when mediation is not suitable including:

* It is used by a manager to avoid their managerial responsibilities;
* In cases of misconduct; discrimination / harassment which clearly require formal investigation.
* When one of the parties involved is unwilling to participate.

## **Mediators’ responsibilities**

Mediation offers the participants a safe and confidential process (see appendix 1) to communicate openly and to explore issues and concerns, it seeks to problem solve with the aim of rebuilding damaged work place relationships. It is a joint and collaborative process where communication is encouraged and the negativity associated with the issue is directed in a positive way to come up with a solution and agreement that suits both parties.

The mediators are there to facilitate the process of engagement between the two parties, they will not provide the solution.

The mediators are Queen’s University employees drawn from across the University with representation from the main staff categories. The mediators have completed an accredited training course which has equipped them with mediation skills and strategies they need to successfully mediate in the workplace.

## **How to request mediation**

To request mediation an email should be sent to mediation@qub.ac.uk including name and contact details. One of the mediation coordinators will make contact and if the circumstances are deemed suitable for mediation, the coordinator will appoint suitable mediator(s) who progress the arrangements liaising directly with the participants.

It is expected that the mediation process can be completed in one day.

## **Appointing a mediator**

The mediation service coordinator will appoint an internal accredited mediator who has not previously been involved in the dispute in question.

The mediation service coordinator will try to arrange meetings as quickly as possible. The mediator(s) will contact all individuals with a plan for the mediation process.

Should participants in mediation have any concerns about the impartiality of the mediator(s) chosen, this should be raised with the mediation service coordinator as early as possible.

## **Mediation participants’ responsibility**

Employees involved in mediation must approach the process positively and respect the views of the other parties involved.

## **Confidentiality**

Every individual involved will keep information about the mediation confidential and not disclose it to any other party or third party, nor use it for any other purpose other than the mediation.

No information can be passed on by the mediator(s), by either party, about any of the proceedings except in exceptional circumstances such as when there is a potential unlawful act or where there is evidence of serious risk to health and safety

Any notes taken (including those taken by the participants) during the mediation process will be confidentially disposed of at the end of mediation, with the exception of written agreements between the parties.

## **Workplace companions**

The involvement of workplace companions, e.g. colleagues or Trade Union representatives, in the mediation process is not encouraged and employees have no statutory right to have them involved. Neither are family members, friends or legal representatives permitted to attend.

## **Post mediation evaluation**

This is a pilot scheme therefore the effectiveness of the service will be monitored with confidential evaluations being issued to participants at the end of the process.

Mediators will also undertake a process of self-evaluation, feeding any suggestions for improvements to the mediation coordinator.

## **Appendix 1 - Mediation Process**

(Mediation: An approach to resolving workplace issues) A guide February 2013 (ACAS and CIPD)

Separate meeting

First contact with the parties – the mediator will meet parties separately. The aim of this first meeting is to allow each individual involved to tell their story and find out what they want out of the process.

Joint meeting

**Hearing the issues** – the mediator generally brings the participants together and invites them to put their side of the story during a period of uninterrupted time. At this stage the mediator will begin to summarise the main areas of agreement and disagreement and draw up an agenda with the parties for the rest of the mediation.

**Exploring the issues** – having identified the issues to explore, the mediation is now about encouraging communication between the parties, promoting understanding and empathy and changing perceptions. The aim of this part of the meeting is to begin to shift the focus from the past to the future and begin to look for constructive solutions.

**Building and writing an agreement** – as the process develops, the mediator will encourage and support joint problem-solving by the parties, ensure the solution and agreements are workable and record any agreement reached.

**Closing the mediation** – once an agreement has been reached, the mediator will bring the meeting to a close, provide a copy of the agreed statement to those involved and explain their responsibilities for its implementation. In some cases no agreement is reached and other procedures may later be used to resolve the conflict. However, nothing that has been said during the mediation can be used in future proceedings.