

Workplace Mediation Factsheet

Helping you prepare for mediation



Workplace Mediation

Welcome to Consensio's Workplace Mediation Factsheet. This factsheet has been developed to help you prepare for mediation and to answer some of the questions that you may have.

What is mediation?

Mediation is a confidential, voluntary and informal process that helps you to talk issues through with your colleague(s) and an impartial mediator to find a way forward. The mediator will meet everyone individually before facilitating a joint session with all the parties.

Mediation works because it helps people find practical solutions that feel fair to everyone.

What is the role of the mediator?

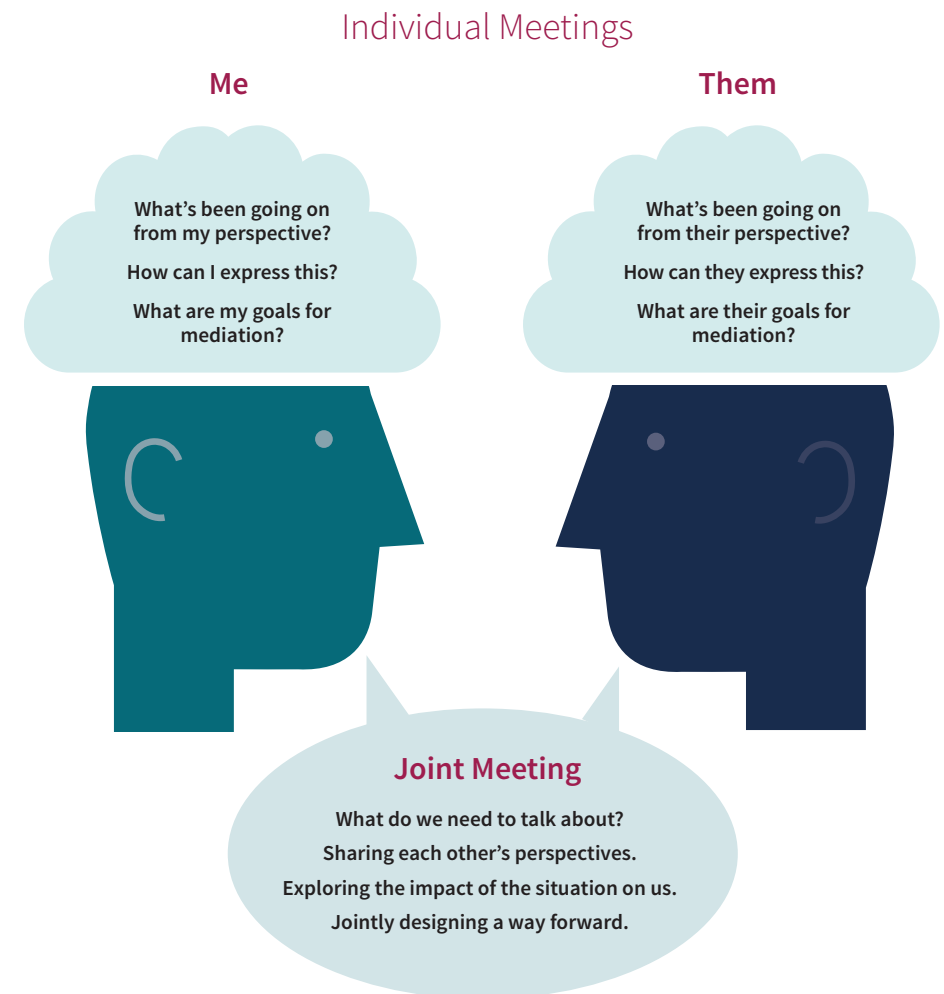
The mediator is an expert in helping people to communicate more effectively with each other. The mediator will support all parties involved in the mediation process. The mediator won't judge you, interrogate you or tell you what to do.

During the individual meeting, the mediator's role is to help you get clarity about your situation and what you want to achieve from the mediation process.

During the joint session, the mediator will facilitate a conversation between you and the other party (or parties), support you both to explore the key issues and help reach a resolution that is mutually acceptable. Any agreement reached is determined and owned solely by parties to the mediation.

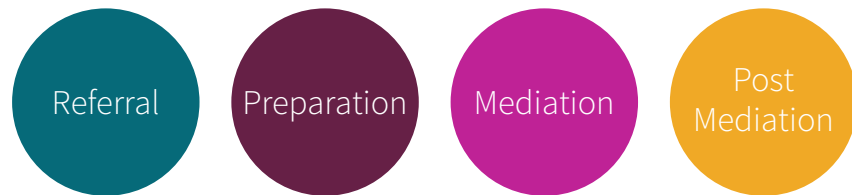
The Mediation Journey

The mediator will meet with everyone individually before facilitating a joint session with all the parties.



Consensio's Mediation Process

There are a number of stages to the mediation process:



Referral

Consensio will speak with the client referring a case for mediation to assess whether it is suitable for mediation and to discuss expectations. Consensio will send the client a mediation referral form. Once completed, Consensio will allocate a mediator to the case.

Preparation

The Consensio mediator will schedule a telephone conversation with you to introduce themselves and answer any questions or concerns that you may have. You will then receive the following information:

1. A pre-mediation questionnaire, to help you think about what you would like to achieve from the process. You should bring this questionnaire with you when you meet your mediator.
2. A mediation schedule, which outlines the timings for the day.
3. A confidentiality agreement, to be signed and given to the mediator on the day of mediation.

Mediation

The Consensio mediator will typically work with you for a full day or over two half days. In the case of team mediation, this may take longer. All meetings will be confidential.

Individual meetings

The mediator will meet with you individually for about 50 minutes. This meeting will give you an opportunity to tell the mediator what has brought you to mediation, to speak about how you see your current work relationship and to think about ways in which it could be improved. The mediator will check in with you before going ahead to the joint meeting.

Joint meeting

The joint meeting takes place over several hours. You can ask for a break at any point. The mediator will follow this process:

Introduction: The mediator will introduce the session and set out a few guidelines for the meeting.

Opening comments: You will then give brief opening comments to each other, including your goals for mediation. Although the comments should not be inflammatory, it is up to you to decide what you want to say during this time.

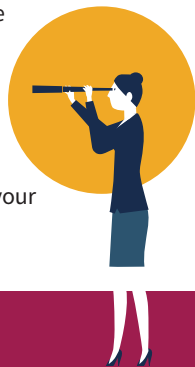
Discussion of issues: After the mediator has summarised the opening comments, you can talk to each other about any of the issues that you would like to discuss. The mediator will support you both, and intervene as appropriate to help you focus on what you need.

Problem-solving / Resolution: Once you have talked through your issues and you are ready to look at your goals for mediation, the mediator will support you through a problem-solving stage so that you can discuss your future working relationship.

Agreement: Most mediations result in an agreement, often as a signed document or action plan which you can use when you are back at work. The mediator will write down verbatim what you want in your agreement. There will be no pressure on you to reach agreement.

Post-mediation

The mediator will discuss any agreed follow-up arrangements with you. With your consent, the mediator will share pre-agreed feedback regarding your experience of mediation with the person who referred you to mediation.



Mediation FAQ

Is mediation confidential?

Yes. Confidentiality is a key aspect of mediation. You will sign up to an agreement not to disclose any information discussed at mediation without the prior express permission of everyone involved. All mediation sessions are bound by this confidentiality. The mediator will not disclose any information discussed during the mediation.

You and your colleague(s) may decide to develop a written agreement during mediation and share this document with a third party. All other hand-written notes made during mediation will be destroyed. The fact that you attended mediation is not recorded on your personnel file.

If asked by your organisation, do you have to attend mediation?

No. Mediation is a voluntary process. If you are unsure about attending mediation, please contact Consensio to speak with a mediator who will be able to answer your questions and address any concerns you may have.

Where will the mediation take place?

Mediation will take place in a neutral and private venue. If you feel comfortable, mediation can take place at a neutral and private venue within your workplace. Alternatively, an external venue will be used.

Consensio requires a minimum of two rooms for the duration of mediation. The number of rooms required in team mediation is dependent on the number of parties.

How long will mediation last?

Mediation between two people typically lasts a full day or two half-days. This gives you time to explore the issues that have brought you to mediation, as well as how you want to move forward with your working relationship. Mediation between three or more parties will take longer. The exact duration will depend on the size of the team.

How do I prepare for mediation?

Consensio will send you a questionnaire before your mediation to help you think about your situation and what you want to achieve from the process. It is helpful to think about the following before attending mediation: How do I want to come across to the other person? How can they best hear what I have to say? What do I want them to understand about my situation? What will help me see their point of view? What do I need in order to feel that mediation was a worthwhile process?



Who will be present at mediation?

In most cases, only the people in conflict with each other and a mediator are present at mediation. Sometimes there will be two mediators, and you will be informed in advance if this is the case.

Consensio believes that the people actually involved in conflict are the best people to resolve it. If you want to bring a representative, relative or friend, this is only possible during your individual meeting. If you wish to bring someone to this meeting, please inform the mediator in advance.

I am nervous about the joint meeting. What will happen?

Consensio understands that the idea of a joint meeting can be stressful. The mediator's role in this meeting is to help you have a different kind of conversation with each other; to talk through the key issues in a safe space, and to help you focus on what you need. Mediation works because it helps people find practical solutions that feel fair to everyone. Mediation is less stressful and time-consuming than going through a formal process. In addition, mediation focuses on finding a collaborative way forward.

Who determines the outcome of mediation?

You and the other party (or parties) determine the outcome. The mediator is responsible for shaping the mediation process.

What happens if we don't reach an agreement?

There is no obligation on you to reach an agreement. If you feel that mediation will not resolve your issues, you reserve the right to use other workplace measures or legal procedures. In legal terms, mediation is 'without prejudice'. Whether you reach an agreement or not, the mediation process will remain confidential. The mediator cannot be called upon to provide evidence at any subsequent proceedings.

Who are Consensio mediators?

Our mediation services are delivered by experienced and accredited workplace mediators who adhere to the **European Code of Conduct for Mediators**.

Who is Consensio?

Consensio is one of the UK's leading mediation providers and is registered with the **Civil Mediation Council**. Our clients span small organisations to FTSE 100 enterprises in the private, public and third sectors, and include: **BBC, British Gas, Bupa, Accenture, Capgemini, Channel 4 Television, Net-A-Porter, Ogilvy, The Rank Group, Sony, The University of Cambridge, Independent Police Complaints Commission, Westminster City Council, numerous NHS Trusts and Cancer Research UK**.

Consensio was awarded the Government contract to set up two regional mediation pilots in partnership with the UK **Department for Business, Innovation and Skills (BIS)**.

For further information or enquiries to any of our services,
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