

# Implementing Mediation in the Workplace

The UK Mediation Journal spoke to **Sue Waldock**, Group HR Director for the Rank Group, about what attracted her to mediation, how she went about implementing it, and her experience since. The Rank Group is a retail and online gambling organisation with around 12,000 employees across the UK.

*How did you first find out about mediation and what attracted you to it?*

There was a lot in the press about mediation and we were quite interested to learn more about it. In any employment situation you can get conflict, it's not always rational or logical and it is very emotional. What I liked about mediation was that it looks at how the parties feel. Having an opportunity to hear the impact they're having on each other is quite revealing, but also quite healing.

I liked the impartiality. We make sure the mediators come from a different part of the business and are not related to, nor have a vested interest in that particular area of the business. They're not in any way accountable for the outcome of the mediation. It's completely confidential; it is not a case of "we're going to put this on your file". It's absolutely up to the parties to resolve the issues as they see them.

We don't expect the mediators to give any information back to us, other than to say that the parties turned up and they have or haven't agreed a way forward. It's a really good process and we've been really pleased with it.

*How and when do you currently use mediation?*

We have internal mediators and occasionally we use external mediators. Particularly for those on a more senior level, we need somebody completely independent.

Sometimes we get grievances raised against each other and the line manager says, "This is down to the two people and there is not enough information on either side". That's hugely difficult for them to deal with and getting people to hear what each one of them is saying is a much better way of resolving the dispute, rather than us trying to decide who is right and who is wrong.

*How long did it take for you to implement mediation in Rank?*

It was about 6 months initially. We looked at the proposal in 2009, then started training with Consensio in 2010 with the HR community and then for line managers in 2011. So it has been on-going for us, it gave us some really good life skills. It's a different way of thinking about things.

*How did you choose a training provider?*

It is quite an investment of time and money to train as a mediator, so quality control was important. We wanted them to be recognised as having the ability to do what we were asking them to do. So having the accreditation through the Open College Network was important, and knowing that somebody external to the training provider was marking our work was helpful.

*How did you go about implementing mediation, and how did you promote it to employees?*

We haven't done masses of promotion around the scheme, because if we opened it up to everybody we actually wouldn't be able to cope. So we promoted it to the general managers via the HR community and to the Senior Leadership Team.

The mediation takes at least a day, getting mediators that are outside of the line or business, in different parts of the country and taking everybody out of the workplace, as we wouldn't do it in a workplace setting, is quite expensive and time consuming. But it is a good investment when you compare it to the costs of tribunals or losing employees. So we try and follow our normal procedures but if we fear it's not getting resolved then we would step in and offer mediation. ▶

► We give people information packs about what mediation is and what it hopes to achieve, because the parties involved have got to agree to it. But we find most people want to resolve their differences. When people actually realise the impact their actions are having, or hear what the person really intended, it's quite sobering, and also empowering. As a result they can start to build a relationship together – that's what it's all about in the end.

*What benefits have you seen from mediation?*

It takes the heat out of the situation, it reduces management time and it reduces stress levels and absentee levels. It also saves money; if you don't resolve it and one party goes off sick or leaves then you're looking at several thousand pounds. If someone says it's constructive dismissal as we haven't helped them resolve it, then it doesn't take long to ramp up to £5-10k at a tribunal. It's often valued employees who've got completely different perspectives on the way things should be done. Unresolved, we could end up losing both of them. That's bad for business, it's bad for our customer service, it's down time and it's lost opportunity time while we recruit and train someone else.

Employees value the fact that we have given them something that they haven't expected. I actually don't think we've had one that hasn't ended in an agreement so far. They really do value an alternative way to resolve an issue. In a disciplinary or a grievance somebody has to lose and somebody has to win, and that's not the situation in mediation. They can both come out understanding, they might not still agree, but they at least understand why the person is feeling the way they do.

*What were the difficulties you came across when implementing the scheme?*

Logistics. If we have 2 or 3 cases running at the same time, it's the logistics we struggle with. We've also trained an administrator; it's important people feel secure and know what they're going in to. We have to find mediators outside the business and find a venue. We also have to manage the venue set up – each party has to have a separate room, and then another for when we bring them together for the meeting. It's logistically harder than we had thought but still well worth the effort.

*What would you do differently?*

We probably would have trained more people at the same time as the HR community. I wanted the HR community, myself included, to experience the mediation training because it wasn't common place and was outside our normal repertoire of experiences. However, I would recommend training a cross section of the business rather than it sitting with one department, both geographically and functionally.

*What advice would you give to other organisations?*

I think you have to be realistic with what you can achieve with the resources. It depends on the size of the organisation. We personally couldn't cope with doing one a day, for example. So we are selective about how we use it, but where we do use it, it gives us really good results. It's a great process and I couldn't recommend it highly enough.

