
Mediation puts a halt to grievance cases

Lucy Phillips 4 Sep 2009

An in-house mediation service at East Lancashire NHS Teaching Primary Care Trust has reduced formal dispute cases by 60 per cent in its first year, *PM* has learnt.

Karen Bailey, a change consultant at the trust, said she set up the service in April last year after being “struck by the number of formal processes” going on, particularly grievance and fair treatment cases.

The trust trained 15 members of staff, including front-line workers, managers and union stewards, as mediators and appointed a dispute resolution lead to work alongside HR to coordinate the service.

Bailey said the most common dispute issues were around perceptions of bullying, harassment and racial issues, but now any member of staff who approached a union or the HR department with a problem was asked to consider mediation.

A mediator would spend time with each of the parties to “allow them to express their version of events” before a joint meeting was arranged, facilitated by the mediators, to “encourage honest dialogue and help the parties to move towards their goals”.

“Seeing the stories from each perspective often generates empathy and from empathy you will have a magic moment where, more often than not you, will have an apology of some kind. From there on the language changes and they begin to build bridges,” Bailey said.

The trust, which employs 3,000 people, is still working hard at embedding the service but Bailey is now also working with a neighbouring trust to help them to introduce a similar scheme.

An interim review of the health and well-being of NHS staff, conducted by occupational health expert Steve Boorman, recently cited mediation as a key way of solving deep-rooted cultural problems around bullying and harassment in the health service. Bailey agreed with the findings, saying that mediation was “not just about reducing formal processes”.

“Formal processes don’t do people any good. They are time-consuming and energy-draining. Mediation is better for staff – it’s quicker and puts them in control,” she said.

Conflict management training provider Consensio recently reported a 420 per cent increase in demand for its services during the first half of 2009, following changes to the Employment Act in April. Statutory dispute resolution procedures were repealed and replaced by the voluntary Acas code of practice, which encourages organisations to resolve disputes in-house and at an early stage.