

How mediation can help resolve workplace conflicts in the NHS



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My mediation journey is a story of transformation, not just for me, but also for the NHS trust I work for. Over a decade ago, I was a union rep known as the 'grievance king.' Now, I am the mediation coordinator of our internal mediation service and I have been involved in over 100 workplace mediations.

Before 2007, I thought that the only way to deal with workplace conflict was by putting in a grievance. And as a union rep, that is what I recommended to everyone who came to see me. Like many union reps, I thought that mediation would take work away from us.

In 2007, a new Director of Human Resources, Karen Bailey, who was also an accredited workplace mediator, started working at our trust. At the time, we had about 40-50 bullying and harassment or grievance cases per year. Most of these were lodged by me on behalf of our members.

I remember one case I was involved in where there was a lot of tension between two teams. Karen offered to facilitate a meeting, and at first, I did not want any part in it. I thought this was just another way to take away workers' rights. However, I reluctantly agreed, and the session was enlightening. Later Karen told us that it had been mediation.

Consensio was brought in to deliver an in-house accredited mediation training course to our trust and I was one of the delegates on the course. I remember nearly walking out of the training on the first day but I stuck with it and slowly my mindset shifted. I could see that workplace mediation was not about taking away rights, but about finding a fair and collaborative way to resolve conflicts, many of which are caused by misunderstandings. I could see how mediation was not a way to put unions out of work, but to help those in conflict to resolve their issues in a much more constructive way.

After the course, I became the Trust's mediation coordinator with another HR mediator, and I found the role extremely rewarding and sometimes challenging. In 2010, our PCT workforce merged with ELHT and the mediation coordinator role was taken away. I was disappointed as I was now a real advocate of informal process and I had been able to reach lots of staff members through my union work.

In the period between 2010 and 2015, cases of bullying and harassment shot up again. The trust looked to mediation again, but this time with a different approach. Mediation now sits in the Occupational Health (OH) Department, and, since the introduction of a coordinator, our mediation service is thriving.

What I have learned along my journey is that there is nothing positive about formal process. It actually prolongs the outcome and doesn't resolve the issue. When in conflict, people need to talk about things to resolve them.

There are lots of reasons why mediation is so successful at our trust. For example, the fact that HR is 100% behind mediation, and most calls to refer a case to mediation come from HR. OH also refers to the service. A lot of cases can be caught by having OH involved. Many people who will benefit from mediation go to OH as they are stressed and anxious, and often become ill and go off on sickness leave.

There is a lot that other organisations can learn from our journey.

Firstly, the importance of having a mediation coordinator and a champion within the organisation. In my case, I have been involved in over 100 mediations, not necessarily as mediator, but as a coordinator who is out there speaking to managers who want to refer a case to our service. I also speak with staff members who are in conflict and I encourage them to go to mediation rather than down a formal route.

Secondly, our mediation service sits within OH, which addresses staff health and wellbeing. It is therefore seen as impartial and people are more likely to use it. However, HR is fully supporting mediation, which is also key.

Last year, Consensio trained us to become team mediators and we have already done a number of successful team mediations.

There have been challenges. I know that getting the unions on board is critical to the success of mediation. We have worked hard to convince the unions that they won't be left out and that they will be part of our mediation journey. That's why we have trained some of our

union reps to be internal mediators. We have also trained HR to be mediators, as well as some managers.

We still have a way to go in terms of raising awareness of our mediation service and educating people about it. We are in the process of aligning our policies so that there is one policy which includes mediation. We are going to go out and promote our service more widely, including via internal communications.

We are ambitious for mediation at the trust, and there is much more to do. If we train our managers to spot issues quickly and to know when to intervene, we will catch cases before they even reach OH or HR.

It has been an interesting decade from me as I went through the transformation from grievance king to mediation convert. I hope that other trusts will look into embedding mediation. The rewards are so huge, both in terms of cost-savings as well as employee wellbeing.