



October 2021

Workplace Mediation Policy

Policy Statement

In line with discipline and grievance provisions established through the ACAS Code of Practice, the organisation wishes to provide an opportunity to resolve any issues that arise through mediation.

Workplace mediation is based on the principles of encouraging constructive communication in a safe and confidential environment identifying mutual solutions and agreements and restoring respectful, professional working relationships.

Where there are two or more parties in dispute, an impartial, experienced, trained mediator can facilitate dialogue between those parties and encourage them to reach an agreement. The Mediator does not impose their own view of the dispute upon the parties. Any agreement comes from the parties themselves.

The mediation process will provide an informal and confidential environment for the parties concerned and encourage them to:

- discuss their issues, feelings and concerns
- empathise and understand the feelings of those who are in conflict
- encourage communication and find solutions that both sides feel are fair.

Procedure

1. Agreement to Mediate

Where there is an existing conflict, which has either been raised informally or raised as part of the grievance procedure, the parties in conflict can voluntarily agree to participate in a mediation process to try and facilitate a resolution of their dispute. The parties will be asked to sign a mediation agreement confirming their participation in the process (usually provided by the Mediator).

2. Appointment of a Mediator

Once agreement to embark on the process has been achieved, a suitable Mediator will be appointed.

The Mediator can be a manager from within the company, trained in the skill of mediation or can be an external Mediator engaged to deal with the mediation process. The appointment of a Mediator will depend on the type of dispute involved and how far the dispute has progressed prior to mediation. All parties to be involved in the mediation must agree on the suitability of the Mediator.

3. The Mediation Session

The organisation will agree with the parties on the length of time they believe will be necessary for the mediation to happen and a sufficient amount of time will be set aside for the mediation process.

At the mediation, the Mediator will firstly meet with both parties separately and ask them to provide a synopsis of their position in relation to the conflict. Both parties will be encouraged to give the Mediator an honest account of how they see the problem and possible ways in which it might be resolved.

The Mediator will normally shuttle between the two parties giving each, where possible, equal time to discuss their issues, concerns and feelings.

The Mediator will only communicate to the organisation such information as the parties have consented to releasing.

4. The Outcome

As the process continues, it is hoped that an agreement will start to form. At the end of the process if an agreement has been reached, the Mediator together with the parties will set out the terms of that agreement in writing and both will sign the Mediator agreement.

If the mediation process has not been successful in achieving a resolution, then it is open to either employee who was party to the mediation to pursue the formal discipline or grievance procedure or instigate legal proceedings.

Such information as was disclosed during a mediation process will remain confidential and without prejudice to any future legal proceedings.