

Conflict Resolution Team

Cutting the emotional and financial cost of conflict for individuals, groups and organisations

Mediation, conciliation and consultancy in

Workplaces

Public and private services

Communities and neighbourhoods

Families and homes

~ quick, confidential, cost effective solutions to difficult situations ~

The Costs of Conflict In the workplace for employers, management and staff.

- Increased staff & management time
- Poor morale & lower productivity
- Complaints & customer dissatisfaction
- Increased stress & tension
- Sickness & absence from work
- Allegations of harassment & bullying

These can be compounded by adversarial methods such as disciplinary and grievance procedures or litigation.

“Mediation...can be quick, often less than a day, and is almost always less expensive and stressful than taking legal action.”

www.direct.gov.uk/en/Employment/ResolvingWorkplaceDisputes/Mediationconciliationand arbitration/DG_10028132

The Costs of Conflict In the community for housing providers, local authorities and police, community safety and anti-social behaviour partnerships, NHS providers.

- Increased staff & management time
- Anti-social behaviour
- Complaints & tenant dissatisfaction
- Stress and ill health
- Unstable tenancies
- Unstable communities

The Costs of Conflict In the family for individuals, health & social services.

- Isolation
- Problems in school & at work
- Inattention to children, young people or vulnerable elders
- Stress, depression and ill health
- Relationship & family breakdown

The Potential Benefits of Mediation

For people in dispute or conflict, the “parties”

- Early resolution prevents the situation escalating
- Communication and co-operation replaces conflict
- Mediation helps people end problems, not relationships

For organisations mediation can

- reduce use of and impact on staff time
- lessen the use and impact of complaints
- reduce use and effects of disciplinary or grievance procedures
- help people build better futures

Speed

➤ Mediation can be arranged within days

➤ Resolution can be reached within hours

⚡ Litigation, tribunals, & other adversarial methods can take months

Choice & control

- Mediation is voluntary and “Without Prejudice”
- The process is legally privileged
- Mediation is a constructive, fair process and seeks win / win outcomes beneficial for all
- The outcomes are owned by the parties, they’re easier to accept & respect
- Mediation is confidential, within the law
- The dispute and its resolution are conducted in private, avoiding public disclosure of private matters
- People who use mediation do not give up their right to other legal options
- Solving the matter often needs more than just a judgement in law

What kinds of situations are suitable for mediation?

Mediation can help where

- on-going working relationships are important
- communication has broken down
- there is a clash of personalities or lifestyles
- there are allegations of bullying or harassment
- organisations wish to settle a customer or client complaint out of court
- parties want to maintain a professional or business relationship
- people want to continue in the same homes or jobs
- or in any situation that people want to resolve

and where organisations or individuals want to avoid

- the risk of adversarial or legal proceedings
- ongoing, costly intervention
- time-consuming formal procedures
- becoming part of the conflict

What is Mediation?

Mediation is a process where a mediator helps people communicate and negotiate to reach a voluntary agreement over a dispute or conflict.

How does mediation work?

Mediation brings people in conflict together to talk about the issues in dispute. The process helps people talk and listen, identify the issues and think of different ways to resolve them. Mediation promotes understanding and agreement and works to re-build relationships. It helps people work on the problems they share and the communication between them.

Mediation involves

- A structured process
- Safe & confidential meetings
- Managing anger & strong feelings
- Getting to the cause of the problem
- Identifying & strengthening common ground
- Problem solving framework
- Impartial management of fair process
- Thinking about the future

Mediation Principles

Independent and impartial

The parties in the dispute decide on what they want to settle or resolve, the mediator is there to assist this process. Mediators do not make decisions for the parties, give advice or offer solutions. Mediation is non-binding.

Confidential

Independent mediation is very successful in resolving many personal & sensitive issues. Mediators help work through the emotional and confrontational elements that get in the way of effective discussion. Mediation is confidential within the law. Otherwise what happens in mediation is not shared with anyone else unless agreed by the parties.

Voluntary

Mediation works with individuals who enter into the process by their own consent having been made aware of what mediation can offer. Mediation is not legally binding but it works because people want it to.

“If the Parties are ready to talk and to make changes, mediation can successfully help resolve substantively different kinds of longstanding, complex & bitter conflicts.”

The Mediator’s Handbook
Friends Conflict Resolution Programme
Jennifer E Beer with Eileen Stief

How does the mediation process work?

The Mediation Process has 3 stages:

Information & Evaluation ~ to help organisations and people in dispute in make an informed choice

Initial Contact & Assessment Session ~ a private session with each party

Mediation ~ the parties meet with the mediator or with each other to work on the issues.

Mediators work flexibly and each case is assessed on its merits. Mediators let people know how the process will be run and agree this with them.

What kind of conflicts or disputes can be mediated?

Personnel / HR Matters

Harassment, bullying, staff conflict and interpersonal disputes relating to behaviour, communication or conduct at work. Mediation can be offered at any point before, during or after disciplinary or grievance procedures.

Complaints Management

Customer dissatisfaction with service provision or seeking compensation: customer / service user complaints, NHS conciliation, landlord / tenant disputes.

Inter-departmental

Reorganisation of groups & working practices, conflict resolution as part of an overall strategy to help manage change: staffing restructure, organisational development.

Planning, Environmental & Public Consultation.

Domestic planning disputes & complaints; land use & development: boundary disputes; community spaces.

Culture Change

New ways of working with staff, clients, customers & other stakeholders, developing a culture of participation and co-operation: organisational development, tenant participation, user group & customer involvement.

Community Mediation

Neighbour disputes, high hedges & domestic planning disputes, anti-social behaviour, noise nuisance, neighbour nuisance, supporting enforcement through early resolution. Beneficial for social landlords, Environmental Health & Pollution Control, community safety partnerships, community policing.

Family Conflict and Disputes

Inter-generational conflict; deteriorating relationships between family members; disagreements over contact with parents or relatives in care or residential settings; continuing arguments over seemingly insoluble problems. *If counselling, therapy or formal Family Mediation is more appropriate, we will advise.*

Making a Referral

Who can refer to mediation?

- Personnel or complaints managers
- Members of staff
- Customers or service users
- Union representatives
- Business partners
- Directors or executive members
- Housing managers
- Housing officers
- Anti Social Behaviour officers
- The Party or Parties in dispute
- Anyone with an interest in resolving

Referring to mediation requires only the consent of the Parties and authority to meet the costs of the mediation.

Call us to talk through your situation in confidence. We will listen to your concerns and will advise you quickly if we can assist.

Phone ~ Graham or Nicola on 029 2048 0254 or 01792 204050.

Email ~ info@conflictresolutionteam.co.uk

Post ~ Conflict Resolution Team, PO Box 648, Swansea SA1 9LE

Cost

Mediation is costed at an hourly rate of £50 - £100 for mediation work, £25 for preparation work and £15 for travel time. Typically a new dispute or low-level conflict may take 4 - 6 hours to mediate. Travel and expenses are in addition.

Mediation has a 90% success rate where all Parties mediate.