

# **Mediation Policy**

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## 1. Introduction

- 1.1 The University accepts that conflict at work can cause much stress and the University wishes to support staff to work together to resolve disputes and conflicts and recognises that encouraging good working relationships between individuals will have a positive impact on staff wellbeing and performance.
- 1.2 Mediation is a voluntary, confidential and informal process where an independent person – the mediator, works with participants to resolve disputes and conflicts in the workplace and help them find their own solutions and reach an agreement that will improve their situation.

## 2. Principles

- 2.1 **Voluntary** the process is completely voluntary and mediation does not need referral from a line manager.
- 2.2 **Impartial** - Mediators are impartial to the conflict and seek to help the parties equally. Mediators do not express opinions or make judgements about who is right or wrong.
- 2.3 **Confidential** – the process is confidential and all discussions during the mediation process must not be disclosed by either parties or the mediator outside the meeting

For example:

where the issues relate to the University's statutory obligations or duty of care;  
where there is a risk to safety / well being; or  
where formal action has been instigated (e.g. disciplinary proceedings for gross misconduct or in the case of alleged criminal activity).

- 3.5 If mediation is considered appropriate, all individuals must voluntarily agree to be involved. All parties will be informed of their right to withdraw from the process at any time.
- 3.6 The mediation process is confidential on all sides. The only exception to the rule of confidentiality is where there is a potential unlawful act or where there is evidence of serious risk to health and safety.
- 3.7 Should individuals have any concerns about the impartiality of the mediator(s) chosen, this should be raised with the Mediation Service Coordinator as early as possible.
- 3.8 The outcome is not binding but if both parties have agreed to participate it is expected that there is a commitment to reaching an agreement.

#### **4. During Mediation**

- 4.1 During the meeting(s) the mediator(s) will:
  - explain the mediation process to both parties.
  - help both parties to clarify the issues that need to be addressed
  - assist the individuals to identify possible solutions.

The participants will:

have a chance to speak openly, without interruptions, about the areas of concern.  
be encouraged to be open and honest.  
express their feelings clearly to one another.

- 4.2 Any notes taken (including those taken by the parties) during the mediation process will be destroyed at the end of mediation with the exception of the written agreements between the parties.

Adjournments can be requested at any point during the process.

#### **5. The mediation agreement**

- 5.1 If a mutual agreement is reached in full or in part, the mediator(s) will record the details in writing and the parties will sign the agreement.
- 5.2 If an agreement is not reached, staff may still use relevant informal and formal

be called to participate in any other process.

## **6 Management of the Mediation Service**

The service will be managed by the Mediation Co-ordinator (normally the Deputy Director HR – Development) under the guidance of the Director of HR. The Mediation Coordinator will be responsible for the effective management of the process in the University and assist the continued development and support to the University's team of mediators.

## **7**

The mediation process is expected to be used as an informal resolution process and will not be used as a formal first stage in the University's grievance, disciplinary and Dignity at Work procedures.

## **8 Monitoring and evaluation**

- 8.1 Information in relation to staff category, college /department, gender, ethnic origin, age group and disability of participants will be collected. The nature of the issue will be summarised and the perceived success of the mediation process will be recorded in order to inform the development of the Scheme in the University.
- 8.2 This policy has been Equality Impact Assessed based on consultation and information available at the time of the policy being developed. It is recommended that an equality review of the policy takes place, and thereafter on a three yearly basis. This should include consideration of any data (qualitative and quantitative) that could identify any equality related issues that have arisen and require consideration.