

ANNEX 3: GUIDE TO THE FORMAL MEDIATION PROCESS

What Is Mediation?

An informal, structured process in which a neutral third party, called a mediator, who is professionally trained, helps disputing parties work through and resolve problems. The mediator does not give legal advice, indicate how the dispute should be resolved, or report back to the organisation. Instead the mediator guides the parties through a process where:

- the issues are discussed
- options for resolving the problems are generated
- mutually acceptable solutions are considered and agreed

Mediation can offer you the opportunity to:

- be heard
- develop new ways of dealing with a problem
- create your own solutions
- save time, expense and emotional distress of living with unresolved conflict in the workplace
- avoid the stress of formal procedures

What happens in mediation?

The mediation process begins with an introduction where the mediator will ask the parties to agree some basic ground rules (e.g. only one person speaks at a time, both parties act in good faith, no name calling or shouting).

Each party is then given a full opportunity to be heard and to share his/her perspective on the situation. The mediator summarises this and assists:

- the parties in defining the issues
- in generating options to resolve the dispute
- the drafting of a mutual agreement

Success lies partly with the mediator's skills, but more importantly with the willingness of the parties. If someone is intent on keeping the conflict going even the most obvious solutions will not work. If everyone wants the conflict to end, mediation can be an effective way of doing so.

Who might benefit?

Anyone who:

- feels they have a dispute with a work colleague
- wants to find a resolution without going through formal procedures
- is willing to speak honestly
- is willing to listen to the other party
- is willing to take responsibility for any joint resolution

Where will you meet?

The initial pre-briefing meeting will take a place at a location of your choice. The actual mediation session will take place at a mutually agreed, neutral location.

How long will it last?

The pre-briefing meeting lasts a maximum of half an hour. The mediation session could last a maximum of three hours. One session is usually sufficient, although a review session can be offered if appropriate.

Costs

This mediation process can be facilitated by a member of the Schools HR Team, although this will need to be funded from the school budget.