

Workplace Mediation

Frequently Asked Questions (FAQs)

What is mediation?

Mediation is a process of dispute resolution in which an impartial third party (the mediator) facilitates a series of private and joint meetings with the parties to identify a mutually acceptable and appropriate resolution. Mediation is a voluntary, non-binding process which addresses the underlying (root) causes of conflict or tension. Mediators create the conditions for dialogue using a non-adversarial, non-partisan approach. The final outcome of mediation is agreed by the parties, not the mediator.

How can I use mediation?

Mediation can be used by anyone who is experiencing a conflict or a dispute at work. If you wish to use mediation, please speak with your HR Business Partner who can consider your request and make the necessary arrangements.

How long does mediation last?

Mediation tends to last for one full day. However, in more complex cases or cases involving more than two parties, it may last for up to two or three days.

Do mediators tell people what to do?

Mediators do not tell parties what to do. Mediators do not judge who is right or wrong nor do they impose a settlement or solution. However, mediators may ask all parties challenging and difficult questions during mediation relating to the nature of the conflict, the impact of the conflict and the steps required to reach a resolution.

Can I have someone with me during workplace mediation?

Whilst we recognise that parties may wish to have someone with them, the mediators will create an environment where parties do not need to bring anyone else to support them. If parties do wish to bring someone with them, this is only possible during the first meeting with the mediators. **St Mary's** mediators do not encourage anyone other than the parties to be involved during the later stages of mediation.

Is workplace mediation voluntary?

Yes, we will check with you at the outset that you have entered into the process freely and voluntarily. We do not force, trick or coerce people to engage in workplace mediation.

Is workplace mediation confidential?

Yes. Parties are asked to sign a confidentiality agreement before mediation commences. **St Mary's** mediators do not disclose anything that has been said during mediation. If agreed by both parties, **St Mary's** mediators provide a copy of the final agreement to the person who requested mediation, to enable that person to continue to manage the situation. **St Mary's** mediators destroy all notes from the mediation at the end of the process. Other than a copy of the agreement, we do not keep any records of the mediation process. **St Mary's** mediators will not provide evidence at any subsequent internal processes or at Employment Tribunal (ET).

Where does mediation happen?

Mediation takes place in a neutral venue comprising of two to three rooms where possible. Each party has their own private room for the entire day and there is a separate room for the joint meetings.

Why does the mediator meet the parties separately?

Having separate meetings with the mediator/s gives all parties the chance to talk about the conflict from their point of view. The mediator/s listens to what all parties say and they explore how the parties feel, what their concerns are and what their underlying needs are.

Why does St Mary's use co-mediation?

St Mary's uses co-mediation because during complex mediations the focus on the big picture and the detail can be shared, a division of tasks makes the process more efficient, skills and learning are pooled and more attention can be given to each individual party.

What happens at the end of workplace mediation?

At the end of mediation, the parties will hopefully have reached a resolution to the dispute including a number of points of agreement. These will be typed up and given to the parties (usually on the same day). St Mary's offers ongoing support and the mediator/s will contact all parties at one, three, six and twelve months after mediation to 'check in' and evaluate progress. In some cases, we also offer further mediation meetings.

Does mediation really work?

Yes, however for mediation to work it requires a commitment from all parties. By entering into mediation with the right mind-set - with a willingness to listen to each other; to be mutually respectful; to challenge and be challenged and to seek a new way of working together - there is every chance that mediation will work.