

## In praise of mediation: keeping the peace in the workplace

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A government consultation has concluded that the benefits of resolving disputes through mediation are not only financial



Public sector organisations are increasingly looking towards mediation as an alternative to traditional processes such as grievances, investigations and employment tribunals. A Consensio survey into how and why the public sector is using mediation has shed light on how other organisations can embed mediation into their policies and procedures.

The respondents reported a wide range of mediation-related activity. Although external mediators are an option for complex cases, many public sector organisations prefer to train up internal mediators and reap the benefits of having access to a pool of trained volunteers. An interesting development is reflected in respondents' innovative ideas of using mediation across organisations. This is the case, for example, with an NHS

North West funded initiative, where 240 mediators are being trained to become internal accredited mediators. They will work across every hospital, community service and back-office function in the North West, supporting a quarter of a million staff. This ground-breaking initiative will support a united workforce, directly benefiting the seven million people they serve.

Introducing mediation requires internal communication, as Stephanie Bell, senior HR manager of Westminster city council explains: "We raised awareness through participation in an HR open day, sent a joint communication from the chief executive and union branch secretary to all staff introducing and supporting the scheme, published updated frequently asked questions on mediation, and included an article in our staff newsletter on mediation."

Work is also required on organisational policy, as Colin Woodward, head of HR at the Independent Police Complaints Commission (IPCC), reports: "Whilst we recognise that not all problems are suited to resolution through mediation, we are currently revising our grievance policy to encourage employees who are in conflict or dispute to seek informal resolution, using tools such as mediation or conflict coaching, prior to resorting to raising a formal grievance."

So what is driving this revolution? The benefits of mediation occur at several levels. There are clear financial savings to be achieved by addressing conflict through mediation as opposed to formal processes. NHS East Lancashire calculated over £200,000 of savings in the first 18 months of introducing mediation. This can be readily understood if we consider that a mediation typically lasts one day and requires one, possibly two, mediators, plus basic administrative support. Compare this with the average grievance process which can last months and involves strings of witnesses, hours of HR time and high levels of stress-related sick leave. Employment tribunals, meanwhile, are even more time-consuming on all these fronts and can additionally incur hefty legal costs.

Secondly, mediation is widely found to be more effective at achieving long-lasting resolution of workplace disputes. This has been the experience at IPCC, as Colin Woodward explains: "We introduced mediation because our formal processes, such as the grievance process, fail to take conflict problems through to resolution. In the great majority of cases, we find that

parties to mediation are able to move on from the conflict, whereas after formal processes, one or other of the parties tends to maintain ill feeling to the other party."

Perhaps most compelling are the human benefits of mediation. In the words of Natalie Dixon, policy and partnership manager at Guy's and St Thomas' NHS Foundation Trust: "Mediation is the best way to demonstrate a commitment to our staff and their wellbeing ... Our staff are integral to the success of our organisation, and facilitating the use of mediation provides the opportunity to reduce potential stress in the workplace, improve communication and allow staff to focus on delivering high quality services."

Similarly, the IPCC has found mediation to be a more humane approach, according to Colin Woodward: "Feedback from parties who have been through mediation has been wholly positive; rarely, if ever, have we had such feedback from parties involved in formal grievances."

The government's endorsement of mediation – as announced this February in its response to the consultation on resolving workplace disputes – is adding further fuel to the revolutionary fires. Stephanie Bell of Westminster city council reports that the government's recent interest in mediation has "encouraged us to continue with our plan to embed mediation across the organisation".

A shift is clearly taking place in the public sector philosophy of conflict management. Mediation, with its potential for employee empowerment and self-determination, is gaining ground at the expense of the more adversarial third party adjudication. Given the wealth of economic and human benefits that mediation can bring, this is an opportunity that no public sector organisation can afford to ignore.

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