

A photograph of a woman with long, wavy brown hair, wearing a light green button-down jacket, sitting in a dark leather chair. She is looking towards the right and has her hands open in a conversational gesture. In the foreground, the back of another person's head and shoulders is visible, suggesting a conversation. The background is softly blurred, showing what appears to be a window with light coming through.

# Mediation

Guide for the referrer

Business success relies on having the right people performing together in the right roles. Disagreement and debate in the workplace is inevitable and on many occasions can be healthy and energising, an agent for business growth and a catalyst for creativity. However, sometimes conflict remains unresolved and can lead to a breakdown in working relations. Those involved lose the ability to focus; and performance and wellbeing suffer.

### What is Mediation?

Mediation is an informal, structured, and voluntary process used to resolve workplace conflict. It may involve colleagues of similar or different levels within an organisation. The aim is to acknowledge what has happened, move on from the past and negotiate a better future working relationship.

### When can Mediation Help?

Mediation offers a supportive framework where the goal is to reach a win/win outcome that retains the dignity of all involved. The mediator facilitates the process, maintains the ground rules and helps participants reach a mutually acceptable outcome. Agreements that are achieved in this way are more likely to succeed than those that are imposed. The independent and impartial position of the mediator assures participants that there is no internal agenda or bias.

At Vita Health Group we take responsibility for assessing the appropriateness of the dispute situation for mediation. One key requirement is that all parties involved are willing to take part.

- ✔ When there is a history of dispute between parties and the situation is not moving forward
- ✔ When formal action is not necessary
- ✔ When allegations of bullying and harassment are made
- ✔ Following the conclusion of formal proceedings, to re-establish working relations
- ✔ Issues that the parties have the power to resolve
- ✔ Conflict that has resulted in allegation and counter allegation
- ✔ A breakdown in working relationships
- ✔ Conflicts within teams
- ✔ Conflict between managers and team members
- ✔ Conflict within the management team
- ✔ Dispute between internal and or external stakeholders

There are times when we may advise that mediation is not appropriate. In these instances, we may suggest alternative interventions. Mediation may not be appropriate in the following circumstances:





- ✔ When any participant is not willing to take part
- ✔ When a decision needs to be made on a point of law
- ✔ When any participant does not have the influence to make the change needed
- ✔ When there is alleged or actual criminal activity present
- ✔ When formal proceedings are taking place unless these are suspended, to allow the parties the opportunity to voluntarily participate in the process



**I feel that many workplace grievances could be effectively managed through mediation. It focuses on the people and their feelings towards the situation which I feel better resolves a relationship between people rather than having to choose to blame/punish someone. I chose this option as I felt it was best for my mental health and this is why I would encourage others to go through the same process if they have a breakdown in working relationships with another colleague.**

## What can your organisation do to support the mediation process?

A successful mediation can contribute to long-term changes in behaviour and attitude, which enhances the workplace and creates better working relationships. There are a number of ways in which the organisation can support the mediation process.

-  Support should be provided to participants in attending the sessions, taking time away from the workplace and managing workload
-  It is essential that participants know that everyone (including the Referrer) understands and respects the confidential nature of the process
-  As mediation is an informal and voluntary process it is important that other interventions, sources of support and routes for formal proceedings are discussed to ensure participants are aware of the available options
-  Participants may ask whether attendance at mediation will be recorded on their personnel files. It is important that you clarify the policy of your organisation. Vita Health Group recommends that no record be put on personnel files in keeping with the informal, voluntary nature of the process.



**I truly believe in the mediation process and that it is there to help people struggling to find resolution to an arising situation in the workplace. It is very necessary to people who are unable, for whatever reason, usually emotive subjects, to speak face to face with their colleague and this provides help and support.**



**I found the mediation service very useful. Lilian was truly amazing and that helped a lot with the awkwardness of the situation. I was able to speak about personal dilemmas and was given the opportunity to openly discuss them with the other party. This was a great service, and I will definitely recommend it to all my colleagues.**

### Accessing the Vita Health Group Mediation Service

Referral into Vita Health Groups Mediation can be made by any nominated Referrer in your organisation.

Vita Health Group provides a full intake and assessment for each referral to ensure that mediation is appropriate and the most useful intervention at the time. If an alternative option is identified the intake mediator will discuss how Vita Health Group can provide the required service. The intake and assessment involves discussion about the dispute, the people involved, the confidentiality requirements and what the organisation wants to achieve – the Terms of Reference. Relevant decision makers may also be identified and invited to attend the mediation, with agreement from all parties.

Mediation is only possible when all parties involved are willing to seek resolution and agree to attend voluntarily. Terms of Reference, including any expected outcomes from the Referrer should be clarified and shared with all parties and the mediator prior to the mediation. Participants' expected outcomes are gathered at the initial meeting.

Vita Health Group confirms all participants' individual willingness to attend mediation. Arrangements for dates, time and venue are made with the Referrer.

### Delivery of Mediation Service

Our mediation service is flexible and can be personalised to suit your individual needs. This can include face to face, on-line or a combination of both.

**Standard price of £165 per hour**

**Average of 10 hours completion (more or less sessions may be required)**

# Vita Health Group commitment to quality

As part of our quality management system we value feedback about our service. Any comments or complaints should be made in writing to The Operations Director, Vita Health Group, Suffolk House, 7 Angel Hill, Bury St Edmunds, Suffolk IP33 1UZ

## Glossary of Terms

**Dispute** – The situation that has created the need for mediation.

**Participant** – An individual taking part in the mediation.

**Parties** – Individuals taking part in the mediation.

**Referrer** – The individual in the organisation with the authority to refer to mediation. This person is often the HR Business Manager and should also be the budget holder.

**Terms of Reference** – A written document that contains the Referrer's reasons for requesting the mediation and the expected outcomes. The Terms of Reference are shared with all parties and the mediator prior to the mediation.

**Statement of Agreement** – The agreement made by the parties at the end of the mediation. This includes an agreed distribution list. Consent from all parties is needed for this statement to be shared with other relevant individuals.

**Decision-maker(s)** – Any individual that will have responsibility in relation to the outcome(s). A decision-maker may be invited, with the agreement between the mediator and all participants, to join the mediation.

**Without Prejudice** – Not legally binding.