

## Stage 3: Evaluation & Review

The Health Board encourages feedback from the participants to ensure that mediation is effective at resolving conflict. Therefore, individuals are asked to complete an evaluation form at the end of the mediation session.

Where appropriate, the mediators and individuals may agree to meet up again following the mediation process. This is to reflect upon how things have been since the mediation session took place and to ascertain whether or not all issues have been resolved.

## The Mediator's Role

Mediator's are impartial facilitators.

### They do:

- ☞ Explore any differences between individuals
- ☞ Help the individuals gain an understanding of these differences
- ☞ Move both parties away from the past and focus on the future.
- ☞ Encourage parties to come up with realistic, achievable solutions

### They do not:

- ☒ Make decisions for other people
- ☒ Make judgements
- ☒ Decide who is right or wrong
- ☒ Come up with solutions to problems

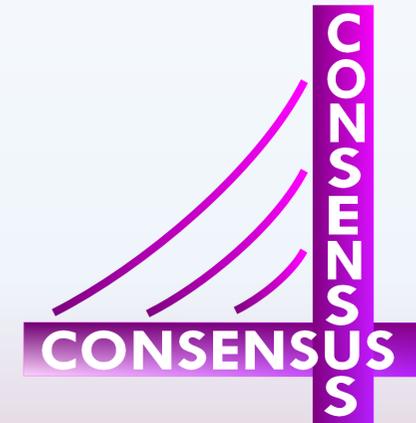
## The Benefits of Mediation

- ☞ **Confidential** (*unless otherwise agreed*)
- ☞ **Convenient**; an easily-accessible service
- ☞ **Entirely voluntary**
- ☞ **Greater control**; parties negotiate their own agreements / resolutions
- ☞ **Reduced costs** compared to a formal external process
- ☞ **Faster outcome** achieved compared to a formal procedure
- ☞ **Effective support**; mediators are trained to work in difficult situations
- ☞ **Preservation of Relationships**: mediation helps parties focus on effective communication with each other

## What Types of Dispute can Mediation be used for?

- ☒ Communication, Behaviour & Personality Clashes
- ☒ Need/Desire to Preserve the Employment Relationship
- ☒ Workplace Relationships
- ☒ Bullying & Harassment (*in certain circumstances*)

***If you wish to find out more about Mediation, you can speak to your manager or email [CAVHR\\_Actionpoint@wales.nhs.uk](mailto:CAVHR_Actionpoint@wales.nhs.uk)***



*Bringing People Together*

# A Guide to Mediation

## What is Mediation?

- ⇒ Mediation is a process by which an impartial third party assists people in exploring and understanding their differences with an aim to resolving them.
- ⇒ Mediation is a confidential, non-judgemental process which encourages individuals to find their own solutions to a situation.
- ⇒ Mediation avoids the win-lose approach to resolving conflict and instead concentrates on the importance of communication, understanding and shared interest.
- ⇒ Mediation seeks to promote mutual trust, respect and positive behaviours in the workplace.

## How Does it Work?

The Health Board has a number of accredited mediators that work together in pairs (co-mediation). These mediators are assigned to cases in which they have had no prior involvement in order to maintain a fair and impartial process.

Before mediation can begin, both parties must initially agree to participate on the premise that they will participate actively in the process with an aim to resolution.

The expectation will be that all parties will agree to enter into the initial stages of the mediation process after the line manager has attempted to resolve the conflict informally via the Dignity at Work Process.

## Stage 1: First Contact with Parties

When both parties have agreed to consider participating in the mediation process, they will be asked to attend meetings individually with the mediators. The aim of this meeting is:

- ⇒ To introduce mediators
- ⇒ To explain the process
- ⇒ To explore the issues
- ⇒ To help mediators assess whether or not the issues can be mediated
- ⇒ To help the individual prepare for mediation
- ⇒ To develop trust and confidence in the process and the mediators
- ⇒ To agree the next steps

At this first meeting, it is essential to ensure that both parties are happy to proceed with face-to-face mediation.



At this initial stage, either party may decide not to proceed with mediation. Mediation is a voluntary process and an individual may decide to withdraw at any time.

## Stage 2: Joint Mediation Session

When both parties agree to proceed, they will next meet up for the joint mediation session. The structure of this session will be explained at the start of the meeting:

### ☒ Step 1: Agreeing the Ground Rules

The process begins by both parties being asked to agree to a set of ground rules. These are intended to ensure that the mediation takes place in a safe and productive environment.

### ☒ Step 2: Protected Time

Once the ground rules are established, both parties will be given protected, uninterrupted time to explain their main issues of concern. The mediators will summarise the main issues raised in order to ensure that everyone present has a clear understanding.

### ☒ Step 3: Setting a Common Agenda

At this stage, the mediators will help both parties to identify the common areas of concern that are resulting in dispute and which need addressing.

### ☒ Step 4: Finding a Solution

Mediation does not result in a 'winner' and a 'loser'. The aim is to encourage individuals towards a resolution via solutions that are formed and agreed by both parties.