

# Workplace Mediation Factsheet

Helping you prepare for mediation



# Workplace Mediation

Welcome to Consensio's Workplace Mediation Factsheet, developed to help you prepare for mediation, and to answer some of your questions.

## What is mediation?

Mediation is a confidential, voluntary and informal process that helps you talk issues through with your colleague(s) and an impartial mediator to find a way forward. The mediator will meet everyone individually before facilitating a joint session with all the parties.

Mediation works because it helps people find practical solutions that feel fair to everyone.

## What is the role of the mediator?

The mediator is an expert in helping people communicate more effectively with each other. The mediator will support all parties involved in the mediation process, and won't judge, interrogate or tell you what to do.

During the individual meeting, the mediator's role is to help you find clarity about your situation and what you want to achieve from the mediation process.

During the joint meeting, the mediator will facilitate a conversation between you and the other party/parties, support you to explore key issues and help you reach a resolution that is mutually acceptable. Any agreement reached is determined and owned solely by you and the party/parties who are part of the mediation process.

# The Mediation Journey

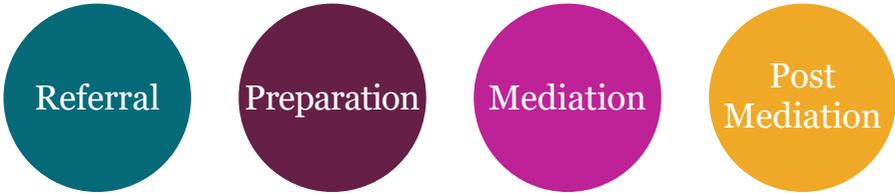
The mediator meets everyone individually before facilitating a joint meeting.





# Consensio's Mediation Process

There are a number of stages to the mediation process:



## Referral

Consensio will speak with the client who referred the mediation case to assess whether it is suitable for mediation and to discuss expectations. Consensio will send the client a mediation referral form. Once completed, we will allocate a mediator to the case.

## Preparation

You will receive the following information from Consensio before your mediation:

1. A pre-mediation questionnaire, to help you think about what you would like to achieve from the process. Please complete this and have it with you at your first meeting.
2. A mediation schedule, which outlines the dates and timings for mediation.
3. A confidentiality agreement, which needs to be signed before your first meeting.

The Consensio mediator will have a short call with you to introduce themselves and answer any questions or concerns that you may have.

## Mediation

The mediator will typically work with you over one full day. In online mediation, the mediation will be split into a number of shorter sessions. All meetings will be confidential.

## Individual meetings

The mediator will meet you individually for about 50 minutes to give you an opportunity to discuss what has brought you to mediation, how you see your current work relationship, and to think about ways it could be improved.

## Joint meeting

The joint meeting takes place over several hours. In online mediation, the joint meeting is usually split into two meetings of 2.5 hours each. You can ask for a break at any point. The mediator will follow this process:

**Introduction:** The mediator will introduce the session and set guidelines for the meeting.

**Opening comments:** You will be asked to give brief opening comments to each other, including your goals for mediation. Although these comments should not be inflammatory, it is up to you to decide what you want to say.

**Discussion:** After the mediator's summary of the opening comments, you can talk to each other about anything you would like to discuss. The mediator will support all parties in mediation focus on what they need.

**Problem-solving / Resolution:** Once you have talked through your issues and you are ready to look at your goals for mediation, the mediator will support you through a problem-solving stage to discuss your future working relationship.

**Action plan / Agreement:** Most mediations result in an action plan or agreement, which you can use at work. The mediator will write down verbatim what you want in your agreement. There will be no pressure on you to reach agreement.

## Post-mediation

The mediator will discuss follow-up arrangements with you and, with your consent, will share pre-agreed feedback regarding your experience of mediation with the person who referred the mediation case.



# Mediation FAQ

## Is mediation confidential?

Yes. Confidentiality is key to mediation. You will sign up to an agreement not to disclose any information discussed at mediation without the prior permission of everyone involved. All mediation sessions are confidential. The mediator will also not disclose any information discussed during mediation.

You and your colleague(s) may decide to develop a written agreement during mediation and share this document with a third party. All other hand-written notes made during mediation will be destroyed. Your attendance at mediation is not recorded on your personnel file.

## Do I have to attend mediation if my organisation asks me to?

No. Mediation is a voluntary process. If you are unsure about attending mediation, please contact Consensio and we will answer your questions and address any concerns you may have.

## Where will the mediation take place?

Mediation will take place in a neutral and private venue. If you feel comfortable, mediation can take place at your workplace. Alternatively, an external venue will be used. In the case of online mediation, this can take place in a private and quiet location, at home or at work.

## How long will mediation last?

Face-to-face mediation with two parties usually lasts one full day. Online mediation is usually split into shorter sessions over two or three days. This gives you time to explore the issues that have brought you to mediation, and how you want to move forward with your working relationship. Mediation between three or more parties will take longer and this will depend on the number of parties involved.

## How do I prepare for mediation?

Before mediation, Consensio will send you a questionnaire to help you think about your situation and what you want to achieve. It is also helpful to think about the following: How do I want to come across to the other person? How can they best hear what I have to say? What do I want them to understand about my situation? What will help me see their point of view? What do I need in order to feel that mediation was worthwhile?

## Who will be at mediation?

In most cases, only the people in conflict with each other and a mediator are present at mediation. Sometimes there will be two mediators, and you will be informed in advance if this is the case.



Consensio believes that the people involved in conflict are the best people to resolve it. If you want a representative, relative or friend with you, this is only possible during your individual meeting. Please inform the mediator in advance.

## I am nervous about the joint meeting. What will happen?

Consensio understands that attending mediation can be stressful. The mediator's role is to help you have a different kind of conversation with each other, to talk about important issues in a safe space, and to help you focus on what you need. Mediation works because it helps people find practical solutions that feel fair to everyone. Mediation is less stressful and time-consuming than going through a formal process. Mediation focuses on finding a collaborative way forward.

## Who determines the outcome of mediation?

You and the other party/parties determine the outcome. The mediator is responsible for shaping the mediation process.

## What happens if we don't reach an agreement?

There is no obligation on you to reach agreement. If you feel that mediation will not resolve your issues, you have the right to use other workplace measures or legal procedures. In legal terms, mediation is 'without prejudice'. Whether you reach an agreement or not, the content of mediation will remain confidential. The mediator cannot be called upon to provide evidence at any subsequent proceedings.

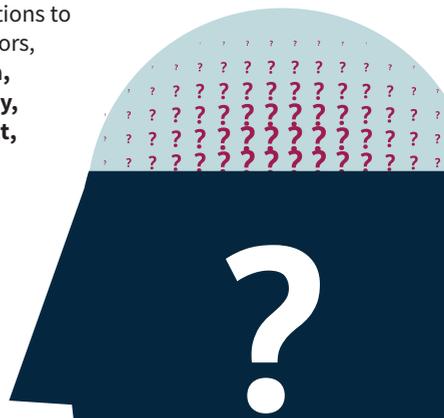
## Who are the Consensio mediators?

Our mediation services are delivered by experienced and accredited workplace mediators who adhere to the **European Code of Conduct for Mediators**.

## Who is Consensio?

Consensio is one of the UK's leading workplace mediation and conflict management providers. Our clients span small organisations to FTSE 100 enterprises in the private, public and third sectors, and include: **American Express, BBC, British Gas, Bupa, Cancer Research UK, Channel 4 Television, Cult Beauty, Gatwick Airport, Independent Office of Police Conduct, NHS Trusts, Nespresso, Net-A-Porter, Ogilvy, Rank Group, Sony, Unicef, The University of Cambridge, Virgin Trains, Westminster City Council and WWF.**

Consensio was awarded the Government contract to set up two regional mediation pilots in partnership with the UK **Department for Business, Innovation and Skills (BIS)**.



For further information or enquiries to any of our services,  
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