



This is a regular look at recent news in the world of mediation, focusing in particular on the workplace and throwing in some of my own views for good measure. Whilst mediation is becoming more commonplace, as the Radio 4 item illustrates, I still come across so many cases which make me think — did it really need to go that far? The Alan Sugar / Stella English tribunal and the neighbours dispute featured below are excellent examples of this.

Marc Reid

Research shows what makes in-house mediation schemes work

Do you start an in-house workplace mediation scheme, or should you use an external provider? This is a common question from HR teams and until now there has been scant research to support a response. However, a new study from mediation supplier CMP provides excellent insight into in-house mediation schemes (click [here](#) for article). Perhaps most valuable are the conclusions around the key success factors for such schemes. Some might appear obvious — it is only logical for instance that in-house schemes suit larger companies. But the report also emphasises the critical role of the scheme co-ordinator who needs to promote the scheme internally, as well as the importance of senior management backing. It's a shame only 11% of the survey respondents were private sector, but this fits with my perception that private companies are only just beginning to recognise the true value of mediation.

Workplace Mediation featured on BBC Radio

If any proof was needed that workplace mediation is moving from peripheral to mainstream, a feature on Radio 4 must surely count. The programme 'You and Yours' (click [here](#) to listen) featured a section on mediation and did a good job of explaining how it can benefit the workplace. The featured case used highlighted a classic mediation scenario—the manager trying to performance manage an employee who then raises a bullying claim. This manager does a good job of showing how mediation proved a far better route than using the formal process or legal options.



Want to share a thought or make an enquiry? We'll be glad to hear from you:

Tel: 07870 444444

Email: enquiry@mediation4.co.uk

Sugar not so sweet...?!

A lot of press attention focused on the recent Employment Tribunal case of former Apprentice winner Stella English claiming constructive dismissal from Lord Sugar's company (click [here](#) for article). The outcome is to date unknown but here is yet another case of unnecessary cost, wasted time and damaged reputations. Why? Because two people were so obsessed with 'winning' at the expense of the other. Will either side win? Certainly the Tribunal will decide in favour of one or the other but both will have been damaged by the case. If only they had been brave enough to sit down and have that conversation...



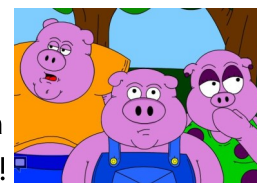
Neighbours sent to mediation

This article tells of a neighbour dispute case from Ireland (click [here](#) for article). The judge threw out the case telling the pairs of neighbours to go to mediation. Reading the story you would be forgiven for being amused at what appears to be such pettiness between neighbours. Yet when you realise this 'battle' has been going on for 13 years, it is simply sad to think of the waste. People can become trapped by conflict. It becomes so important to them and acts as a focus on which to blame everything that is wrong with their lives, and this makes it very difficult to give up. This is as true for the workplace as it is in neighbourhood issues. The answer? Don't avoid dealing with conflict. Make sure it is spotted early, the real issues are identified and resolved effectively.

Website: www.mediation4.co.uk

Top online mediation resources

There can't be many articles that manage to link Kofi Annan and the 3 Little Pigs but my most recent blog somehow manages it! Entitled Six of the Best! (click [here](#)), it picks out some of the very best online resources for those interested in mediation. The cartoon of the 3 Little Pigs going to mediation with the Big Bad Wolf is brilliant but perhaps more useful for the workplace is the in-depth case study of how mediation is used at East Sussex County Council. There has been excellent online response to the blog so if you know of any top online mediation resources let me know as I've committed to doing a 'part two' in a future blog!



ACAS and Early Conciliation

People are often confused by the difference between conciliation and mediation. The approach is very similar but conciliation is focused specifically on resolving disputes about employment rights that have been raised to an employment tribunal. ACAS's pre claim conciliation process has been successful in reducing the numbers going on to tribunal. Wanting to capitalise on this the Department of Business, Innovation and Skills intends to introduce Early Conciliation in 2014 and ACAS has published its response (click [here](#) for article). It's a good step forward, but companies should be looking to use mediation to resolve issues before employees make claims to Tribunals.