



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. In this edition I look at the potential return of employment tribunal fees and struggle to understand why! I'm also appalled at how 'mediation' has been dragged through the dirt in the Post Office scandal. On a more positive note there is a good initiative on helping children resolve conflict through peer mediation.

Marc Reid

### Return of employment tribunal fees?



It was back in 2017 when the Supreme Court ruled that charging fees for ET claims was unlawful. As a result charges were removed and the number of claims rose by nearly 40% in the following year. But now the Government is consulting on reintroducing fees, albeit at the lower level of £55. The question must be - why?! At this level it is unlikely to be a disincentive to claim and the cost of collection will probably take up a large chunk of the fees received. It may dissuade some low level claims, especially if intentionally spurious, but that's the only reason I can find. This article in People Management ([here](#)) gives some background and reaction to news of the consultation. It notes too that waiting times can be up to 12-18 months from the date of the claim. For me this all reinforces the view that a tribunal should be the absolute last resort and mediation should be used far more to resolve issues without having to use the judicial system.

### Post Office scandal and the so-called "mediation"

I'm sure that like me many of you watched the brilliant ITV drama 'Mr Bates vs the Post Office' last month. It brought greater public awareness to a scandal that has been ongoing for many years, but also brought mediation into the limelight. However, as mediator Jason Edwards explains in this article ([here](#)), the mediation scheme that was used in this process seems to be nothing like the normal understanding of what mediation is. What is worse is that the scheme, at least how it is portrayed in the drama, contravenes many of the core principles of mediation. It wasn't fair and balanced, there doesn't appear to be an independent third party, and certainly no openness and honesty on the part of the Post Office. Whilst hopefully much good will finally result from this drama, I just hope that it doesn't put people off participating in 'proper' mediation.

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

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## Peer mediation - positive move



There are many areas where mediation is used - commercial, workplace, family, international relations, but one which goes under the radar is peer mediation. This is where young people, mostly in a school environment, help each other to resolve conflicts. Whilst peer mediation programmes in schools have existed for many years, lack of funding means relatively few children benefit from them. This is unfortunate as learning conflict resolution skills at an early age is enormously valuable in later life. In this article ([here](#)) the Quakers refer to new training that is taking place to advance peer mediation in schools. It is great this is happening but what we need ideally is for these kind of skills to be taught as a standard part of the curriculum.

## Does generational conflict exist?

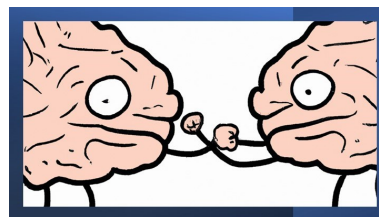
I spotted this article ([here](#)) and it immediately appealed to me as it challenges the trend for 'labelling' and generalisations. The article talks about the plethora of surveys and articles which claim to define the difference between the various generational categorisations. These result in strategies on how to deal with the different generations, in particular conflict between them. Like the author I take issue with these generalisations - not all Gen Z are like each other, in the same way that older Baby Boomers are not like each other. Yes we have different work experiences which impact our outlook but the key point is that we should treat everyone as individuals. There is no 'recipe' for how to deal with a specific age grouping. We need to listen and understand individual concerns.

**Our website provides a range of great resources, most of which are free, including our ebook '8 Stages of Workplace Conflict'. Take a look at the website at [www.mediation4.co.uk](http://www.mediation4.co.uk)**

## Questions for when you disagree

This Forbes article by experienced mediator Anna Shields ([here](#)) provides some excellent questions you can ask when discussing a topic with someone with whom you disagree. There are many contentious subjects present in society today and an increasing tendency for people to see things in a binary way, lacking in nuance and complexity. Associating yourself with one side of the argument is easier than opening yourself up to trying to see different perspectives, so we see the 'footballisation' of views ie you have to like one team or the other. An obvious recent example is Brexit, where it seems the debate quickly polarised, and has not improved since. Anna's three questions, and the additional advice later in the article, are an excellent way to explore different opinions without conflict resulting.

## Your brain's not helping!



My latest blog ([here](#)) looks at the issue of how our brain, whilst trying to do it's job and help us, can actually cause conflict to escalate. How can that be - surely our brain can help us to understand and think things through rationally. That may be the case, but it relies on input. Often that input is limited - a partially heard conversation, an email out of context, hearing gossip. But to build an interpretation of what is happening the brain needs to complete that information so it will fill the gaps, and make assumptions. Left unchecked those assumptions may be false, and conflict can result.

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