



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. It's a year since my last news and views letter so plenty has been happening! In this edition I look at the ongoing issue of conflict not being addressed early enough and the consequent pressure that brings to the tribunal system. There is also a positive story about the use of mediation in one of our major universities.

Marc Reid

Use mediation and avoid employment tribunals

This Personnel Today article (click [here](#)) features an excellent interview with one of the top figures in the world of workplace mediation, Pete Colby. Pete runs Pragmatism, a top supplier of mediation and mediation training services, and the interview proves he really knows his stuff! There is a strong emphasis on the early use of mediation to resolve issues long before they reach the stage of an employment tribunal. But we can only do that if the necessary skills are embedded in an organisation, and the processes advocate a focus on informal resolution. Sadly as Pete comments: "We don't teach HR professionals about resolution – instead they're taught to revert to grievance and disciplinary procedures." The focus needs to shift away from the formal procedures towards using mediation at an early stage. In my own experience it is far easier to help individuals resolve their issues if they have not been through the destructive process of a grievance, which can only serve to drive parties further apart. Mediation should be the default, not the back-up!

Tribunal case numbers continue to rise

As if to back up the arguments in the PT article (see left), this HR Magazine article (click [here](#)) confirms the tribunal system is even more overwhelmed than ever before. Figures released earlier this year showed that 43,000 single case claims were open at the end of 2024, a massive increase of 10,000 over the end of 2023 figure. The system clearly cannot cope with current demand, and, as the article points out, planned regulatory changes in the Employment Rights Bill could add significantly to the level of employment disputes needing to be addressed. Several commenters in the article mention that rather than trying to add more court capacity, issues need to be addressed at source, with organisations managing conflict better.



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

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Internal mediation scheme at uni



The University of Manchester

As a former 'internal' mediator myself it's always great to hear of organisations setting up an internal mediation service. This THE article (click [here](#)) describes how University of Manchester has set up a service to support its 12,000 staff. It's good to hear they are investing in full mediation training for the selected staff members, and that they are ensuring they do at least 2 mediations a year. Less than this and there is a danger they will get demotivated and won't get sufficient opportunity to develop their skills. Key to setting up a successful scheme is raising sufficient awareness to ensure take up. I would add that it is also important to have external mediation back up for cases where true independence is needed.

Only a third of conflict is resolved

Another report, this time from the CIPD, shows that workplace conflict is not being satisfactorily addressed by organisations. (click [here](#)). The article reports that the survey showed only 36% of employees who experienced conflict at work felt it was resolved. This was an extensive survey of over 2000 employers and 5000 employees, so its findings are noteworthy. The conclusion is that there was "a clear gap between employers' trust in their policies and procedures and positive employee outcomes." What is the answer? The article emphasises early resolution and on building skills, particularly within line managers, to nip conflict in the bud. Mediation is not mentioned specifically but this is a key method of early resolution. Whilst the message is clear action needed remains slow.

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

3 questions to aid resolution

Another Forbes article by the excellent Anna Shields, this time on 3 questions you can use to aid conflict resolution (click [here](#)). The article focuses on how we can use our humanity to open up the opportunities for resolution. The three areas addressed by the questions proposed are nuance, compassion and moving forwards. Nuance means we look at alternative interpretations and avoid black / white thinking. Compassion prompts us to see the other person's perspective and utilise empathy. Moving forward encourages us to shift away from positional approaches to find mutually agreeable ways forward, with learning for everyone involved. The article emphasises that these approaches are 'human' as contrasted with AI approaches. In an evolving world it is important to maintain this human approach.

When mediation goes wrong



My recent blog ([here](#)) focuses on 3 of the most common mistakes untrained people make when trying to mediate.

They are well intentioned and trying to help but without the necessary training we are setting them up for failure. The key mistakes I see are: 1) lack of impartiality - remaining neutral is challenging but is essential to retain trust. 2) controlling outcome not process - it is so tempting to provide solutions but the participants must decide what works for them. 3) minimising exploration - taking time to really understand what went wrong is fundamental and all too often overlooked. Take a look and see if you agree with my top 3 mistakes!

Website: www.mediation4.co.uk