



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. This edition features the latest data on Employment Tribunal awards with some staggering six figure sums. There is also some excellent advice on strategies for anti-terror conflict resolution and de-escalating international conflict, and these points are equally relevant to the workplace.

Marc Reid

Tribunal statistics show six figure awards



Figures have been released showing the highest Employment Tribunal awards in 2015 (click [here](#)). 11 awards hit the six

figure mark averaging over £220,000. This demonstrates the potential financial cost to a company resulting from employee conflict, but let's not forget the personal cost. Both those making the claim, and the company employees who have to defend it, will be put through a highly stressful process. Could mediation have avoided some of these cases? Further interesting statistics were the median awards. Whilst the 6 figure payouts hit the headlines, the median unfair dismissal award was just £6955. My guess is that many employees go into the tribunal process believing they will receive the rare six figure sums rather than the median.

Conflict resolution strategies from anti-terrorism leader

You might wonder what fighting the mafia in Italy or negotiating with Columbian guerrillas has to do with the workplace, but this interview in Inc.com with Aldo Civico has some excellent advice (click [here](#)). The anti-terrorism leader proposes three simple strategies that can be used in the workplace to defuse conflict. His three suggested techniques sound straightforward enough but can be very difficult to implement in the middle of conflict. If you can do it though you will be well positioned to find ways to resolve any conflicts you have. What does he suggest? Firstly listening, just allow the other person space to tell their story. Secondly, step back, don't react immediately. Thirdly, use open questions. These typically begin with what or how. Great advice!

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

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Conflict in the boardroom

This article in HR Magazine (click [here](#)) asks Nupur Mallick, HR director, at Tata Consultancy Services whether having mavericks at the top of an organisation is healthy. I agree with Nupur's view that you need maverick thinking. It is only through people challenging existing processes and paradigms that innovation and growth can occur. Presenting conflicting views does not have to lead to conflict. It is only when the debate descends from a focus on the views to a focus on the people expressing those views that damaging conflict can result. So the mavericks are needed but to be effective they need to understand and appreciate the impact their behaviour has on others. In this way collaboration and alignment rather than conflict and disharmony will be the output.

PE Teacher's unfair dismissal claim dismissed

This article from the Croydon Advertiser picks up the story of a prep school PE teacher who unsuccessfully claimed constructive dismissal for bullying (click [here](#)). One of teacher, Brett Kitchener's arguments was that piles of dirty washing-up was repeatedly left on his desk amounting to bullying. The Tribunal did not agree and found against the teacher. Once again I am left wondering how a situation like this ended up in the courts. There has clearly been a relationship breakdown which probably started with some very minor incidents. With appropriate management skill and application of a mediation style approach, these kind of issues should be nipped in the bud. Instead there is stress, cost, and loss of a teacher's job.

Website: www.mediation4.co.uk

Psychology can end wars

This Daily Mail article describes the key thinking behind a new book published by eminent mediator Paul Randolph. (click [here](#)). Paul's view is that shame and humiliation are key drivers which prevent people from backing down as this would impact their self esteem. This is true of all individuals, not least country leaders, and is a key factor in preventing resolution of wars and conflicts. The brain treats humiliation like physical pain, preventing action which would result in humiliation. A key step in moving a conflict forward is to allow people to be heard, enabling emotion to subside so negotiation can begin. Very wise advice and central to the mediation approach.



Workplace Mediation. Bring someone in or do it yourself?

My latest blog (click [here](#)) looks at a typical workplace relationship breakdown that ends up on HR's desk to sort out. I explore the options open to you as the HR Manager. It looks like mediation is the best option but do you really need to bring in a professional mediator to resolve this one? My argument is that part of the HR professionals toolkit are the skills and process to be able to take a mediation style approach to nip these low level issues in the bud. I'm working on creating some products to help you with this 'DIY' approach and there will be more on this in our next 'news and views letter'.

