



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 updates on the Government backed mediation pilots and the introduction of Early Conciliation. There is good news on how mediation is being used successfully in UK local authorities but also an interesting report on the challenges facing mediation usage across the EU.

**Marc Reid**

### Government Backed Mediation Pilots - One Year In

An interesting update (click [here](#)) from Anna Shields, Director of Consensio, on the Mediation Pilot Scheme for SME's backed by BIS, which was featured in the September 2012 issue of this newsletter. It is clearly still early days for the initiative with its aim of increasing the use of mediation in SMEs through sharing resources across companies. Time has been needed to set up processes, however some mediations have been run and one of the main benefits to date is skills development for those involved. In my view any attempt to promote mediation is a positive step. However, I think it unlikely that this model will have any major impact on shifting the balance of UK employment relations culture away from formal adversarial procedures in favour of a more collaborative approach. Instead the focus should be on promoting mediation more widely as an alternative option alongside formal processes.



### Struggling to introduce mediation across the EU.

This Wolters Kluwer article (click [here](#)), comments on the EU Parliament review "Rebooting the Mediation Directive". The review focuses primarily on commercial mediation across EU members and gives some interesting figures eg if mediation were used successfully in half the cases that go to litigation, 8 million court days could be saved in the EU. The article also presents four areas seen to need addressing. I particularly like the argument that marketing of mediation should shift from cost benefits towards arguments that are more meaningful for participants ie. the emotive, non-financial benefits which encourage them to mediate rather than litigate.



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](mailto:enquiry@mediation4.co.uk)**

## ACAS early conciliation legislation published

The final details have been published for the previously announced ACAS Early Conciliation scheme which goes live in April (click [here](#)). Whilst it is not compulsory to engage in the process, all Employment Tribunal claims will need to go through ACAS who have to issue a certificate before the claim can proceed. Whilst it is positive that the Government is focused on reducing claims ending up in a Tribunal, will this scheme actually help or simply put a time delay in the process? For me the best answer is not Early Conciliation through ACAS but Early Mediation in the workplace!



## Lord Rennard dispute ideal case for mediation?

This month's blog from Mediation4 looks at the case of the Liberal Democrat former Chief Executive Lord Rennard that recently has been all over the news. The investigation into claims, made by several female candidates of the party, of sexual misconduct against the peer could not find proof beyond reasonable doubt. Nonetheless, the evidence of the four women was found to be 'broadly credible' and it was recommended that Lord Rennard apologise. He refuses to do so and it looks as though the case will end up in court. Find out five reasons that make this, in my opinion, an ideal case for mediation (click [here](#)).

*Latest 'Basic Conflict Competence for Line Managers' half day workshop. March 18th am, in Wargrave near Reading, now open for booking. For more information click [here](#) or email me to book a place.*

## Win-Win. Workplace Mediation in Local Government Study

According to this new study (click [here](#)) the use of mediation is widespread within local authorities across the UK. It shows a surprisingly high usage of over 90% amongst those local authorities who participated. Admittedly authorities already using mediation are more likely to have responded to this survey. Yet this doesn't detract from the general message that in this sector mediation is becoming accepted as a normal part of resolving workplace disagreements. This shows also a recognition that significant non-tangible benefits arise from using mediation as well as the cost saving benefits. The conclusion is positive; the evidence collected indicates mediation is having a major impact on local authorities' productivity, employee engagement and wellbeing.

Website: [www.mediation4.co.uk](http://www.mediation4.co.uk)

## Noisy neighbours— how far would you go to get revenge?

Hopefully not as far as Paul Kingsman in Peterborough who drove his Jeep into the home of his daughter's noisy neighbours allegedly with the words "That's how you bang on a f\*\*\*ing wall". This story from the Mail Online (click [here](#)) is a good example of the desperation people experience when they feel powerless to deal with a problem neighbour. In the neighbour mediations I've done, it is hardly ever black and white and mediation can really help the neighbours find ways of living next door to each other without this kind of dramatic action. In the end, most people just want to get on with their lives in peace!

