



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. How to help small businesses take advantage of the benefits of mediation is a real challenge so it is interesting to see an update on a Government pilot to address this. But maybe we wouldn't need this at all if we had more 'Meerkat Managers' - see the article to understand why!

Marc Reid

Small company mediation pilot launches in Manchester

One of the initiatives launched following the Government's 'Resolving Workplace Disputes' consultation was a pilot mediation scheme for SME's. This article (click [here](#)) gives an update on the Manchester scheme, where one year on the initial group of 20 volunteers from local businesses have been trained as mediators. Time will tell how willing the small businesses of Manchester are to try out mediation. For me the biggest benefit is not the mediations they undertake (which I doubt will be many initially) but the longer term benefit of having new mediators spread the word on the value of using mediation. Workplace conflict can be particularly damaging for small companies as by definition a higher proportion of the workforce are involved. So early intervention and resolution is critical.



CBI calls for major change in employment tribunals system

Employment Tribunals have become far too focused on legal formalities at the expense of speedy and effective dispute resolution. This is one of the claims in a recent CBI report (click [here](#) for article) which puts forward suggestions on how to improve the system. The report recognises the Government is trying to bring in reform but proposals are piecemeal and don't go far enough. There are few who would disagree on the need for improvements in the system. In my view the emphasis should be on helping both employers and employees find effective resolution earlier so that ending up in a tribunal is an absolute last resort rather than the default.

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

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Meerkat Managers?

I never realised that Football League managers have their own magazine, but they do. In the latest edition renowned mediator, John Crawley talks about managers dealing with conflict and their different styles. To find out what John's 'meerkat manager' style is, click [here](#) for his article (see page 28). Ensuring managers are competent and confident to identify and deal with conflict in their teams is critical for businesses. My half day workshop on 2 July trains managers to apply my AGREE framework to manage conflict. Click [here](#) for more details.



Mediation4 - a year on...

I wrote my first blog just over a year ago and called it 'Don't Give Up the Day Job' as this was the advice I was given when saying I was setting up a mediation business. My latest blog (click [here](#)) reflects back on my first 12 months, what I've learned and where I shall be focusing going forward. It's been an exciting, challenging and rewarding year for me and thank you to all those individuals and companies that have supported me. So was I right to give up the day job? Most definitely! The new day job means helping individuals free themselves of unnecessary pain and stress caused by disputes and enabling companies to avoid the damaging cost of workplace conflict. In true mediator style that sounds like a win-win all round to me!

Website: www.mediation4.co.uk

Dispute Resolution Continuum!

This may sound like something from a Doctor Who episode, but actually it is a helpful and straightforward idea. American mediator and attorney Lorene Schaefer presents a useful diagram in her blog (click [here](#)) to illustrate how mediation compares to other forms of dispute resolution. The 'continuum' element highlights how key factors (eg. control over the outcome, cost, privacy vs publicity) shift as you move along the continuum from negotiation, through mediation, arbitration to litigation. It is a valuable reminder of a key message: by resolving issues using techniques at the beginning of the continuum (negotiation / mediation), the risks and potential negative impact of the conflict are much reduced.

Avoiding mediation pitfalls

Success rates in workplace mediation are generally quoted as being around 90%. But what does 'success' mean? In this article (click [here](#)) the author tries to define success and goes on to look at factors that could result in mediations not succeeding. It is simply another way of looking at 3 of the key principles of mediation, participants attend voluntarily, mediator is impartial and strict confidentiality applies. I would add that the earlier in the dispute that mediation can be used the greater the chance of success. Using it as a last resort before ending up in an Employment Tribunal is not the way to use mediation.

