



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 there are several articles looking at how workplace conflict can be resolved. Should mediation be made mandatory for instance? Or could mindfulness be the answer? Obviously mediation is one way to resolve conflict but another article asks the question should we say no to mediation. Enjoy the articles!

**Marc Reid**

### Could workplace mediation be mandatory?



One of the key principles of mediation is that it is voluntary. This is key to mediation's success as people who attend the meeting have chosen to

do so and are therefore already moving in the direction of finding resolution. This article in HR Director (click [here](#)) puts forward 5 reasons for why workplace mediation should be mandatory. This has caused some heated LinkedIn debate amongst mediators. The author has subsequently argued it is only the initial meetings that should be mandatory and this I can understand. Many cases that could be mediated don't go to mediation as either mediation is not considered or it is not properly explained to the participants. Why shouldn't people at least meet the mediator and find out about mediation? Then they can make a decision with the full facts available to them. So keep mediation voluntary, but let's look at making sure considering mediation is a mandatory part of the process.

### How good are these dispute resolution tips for managers?

This article (click [here](#)) asks 12 'experts' from the Forbes HR Council how they would advise managers on dealing with conflict in their team. Some of the advice given is pretty good. For instance, using the right "verbiage" and giving participants some uninterrupted time. These are core aspects of mediation. But several of the pieces of advice lean towards the manager taking control and making a decision whilst purporting to be mediation. It isn't. If mediation is going to work participants need to own the outcome and to do this they need to make decisions themselves. Another thing I didn't like was the suggestion of sticking to facts and keeping feelings out. Part of the reason mediation 'breaks through' is by helping participants to understand how their behaviour makes the other person feel. So treat 'expert' advice carefully!

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

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## External mediator needed or not?

Having worked as both an internal and external mediator I am always interested in the argument about whether you should 'go internal or external' for mediation. This People Management article (click [here](#)) proposes that you can't rely solely on internal mediation, you need access to an external mediator (not surprising as the author is an external mediator!). The bigger question for me is whether an organisation is using mediation effectively or not. If it is, then I'm not too bothered whether it is internal or external. What I can say though is that a professional external mediator will bring a breadth of experience that it is very difficult for an internal mediator to replicate. So retain an external but complement this with managers / HR trained in low level conflict resolution.

## Saying NO to mediation



It may seem counterintuitive for a professional mediator to tell a client they won't mediate a case. But there are times when this may be necessary. In my latest blog I look at exactly this scenario and explain why sometimes it may be advisable not to mediate. To help explain this I've quoted a case study where I advised the client that we should not go ahead with mediation. This was after having seen both employees and assessed their readiness for mediation. It turned out to be the right decision. Why? Well you'll have to read the blog (click [here](#)) to find out!

**Our latest book '8 Stages of Workplace Conflict— and how best to resolve each stage' is still available to download for free from our website. Just go to [www.mediation4.co.uk](http://www.mediation4.co.uk) and click on the download link.**

## Can mindfulness resolve workplace conflict?



This article in People Management (click [here](#)) makes the bold assertion that an increasing number of companies are turning to mindfulness as a way of managing workplace conflict. Whilst it is certainly true that many organisations are recognising the benefits to employees of practicing mindfulness I'm not sure that you can argue they are specifically using it to address conflict. Though it can help. In particular if the conflict is relatively low level you may be able to 'self manage' it. A mindful approach can help you moderate your response and gain perspective on the issue. But if meditation isn't sufficient, lose a 't' and try mediation!

## Grievances and the grief they cause

This article (click [here](#)) struck a chord as I've mediated many 'post grievance' cases where I've wondered how on earth they ended up going down the grievance route in the first place. The author, an experienced mediator, reflects how situations are too easily escalated into grievances and after all the pain of this process the participants still have to work together. Only then is mediation used. How much better it is to mediate before the formal process. The article has some good tips on how to ensure conflicts can be resolved without going to grievance. In particular I like 'early intervention'. All too often managers spot the signs of conflict but don't want to deal with it, and it escalates with painful consequences.

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