



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 I look at how the pandemic is having a major impact on the employment tribunal system as well as triggering additional neighbour disputes. There are also articles on dealing with refusal to mediate and my most recent book publishing experience. Hope you enjoy it!

**Marc Reid**

### Coronavirus impact on employment tribunal system

The pandemic has produced a 'double whammy' for employment tribunals. As this article from law firm Fox Williams reports (see [here](#)) a system which was already struggling for capacity has suffered further reduced capacity and is now faced with an onslaught of additional claims arising out of the increase in unemployment. What struck me most in this article was that you could now wait 2 years to get your case to tribunal! The government has decided upon a range of measures to help address the backlog but they are only now being introduced and how effective this is we will wait to see. The article finishes by mentioning judicial mediation. This is a small step forward but I'd rather see government pushing organisations to address issues before they ever reach possible tribunal stage. Using mediation within the company to nip issues in the bud must be the best way to go. It will only address some of the cases but even some would help alleviate pressure on the overburdened employment tribunal system.

### Refusal to mediate - what can you do?



One of the questions I am asked most often is what do we do if someone won't mediate? This question is posed in this People Management 'Fixer' article (click [here](#)). In their scenario the person refusing says they raised an issue and were acting professionally so there is no need to mediate. This is often the case in mediation situations, at least one of those involved says they are not to blame and it is the other who should be dealt with. This is why it is important to steer away from blame and instead help the participants to understand that mediation focuses on helping them have an improved relationship going forward. The issue described in the article may not have started with any ill intent but it has caused a relationship issue. As such, using mediation is a sensible way forward.

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

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## 9 'mediation' suggestions

This interesting article from Forbes magazine (click [here](#)) consults 9 members of their Young Entrepreneur Council asking them to give tips about resolving workplace conflict. Often this type of article can be superficial and obvious but this one does have some useful tips. In particular I like the emphasis on dealing with issues early before they escalate and the focus on listening - though I'd rather encourage the people involved to listen to each other and not just the leader. Some of the tips are a bit too formulaic for my liking, for instance the 'Imago' technique. It can be a very useful approach but the risk is that people follow it too rigidly and it then does not come across as authentic. It would need a lot of practice to work well. Of course the best solution is to call a mediator!

## Neighbour conflict on the increase



This article from the Guardian (click [here](#)) reports on a significant increase in conflict between neighbours over recent

months. Fuelled by the lockdown and tensions over people not sticking to coronavirus regulations, police and other authorities have been overwhelmed with complaints. Often there is little police can do and mediation is a much better long term option. But local community mediation services have suffered with major underfunding for many years and many have ceased to operate. If you have an issue with your neighbour the best advice is to talk to them and even more important, listen to their point of view. It's in both your interests to find a good solution.

**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.**

## A book in lockdown



One of my lockdown projects was to join with 10 CIPD colleagues to produce the book 'Good Work Good Business'. We all wrote a chapter and had a one day workshop where we finalised the book and published it on Amazon on the day. My chapter fo-

cus on dealing with conflict in a changing world and we've certainly got plenty of change happening at the moment! This was a wonderful collaborative effort, all done remotely, and we are all very pleased with the resulting book, from which all profits go to the Trussell Trust. It's available as paperback (£9.99) or eBook (£2.99) from Amazon [here](#). An ideal Christmas present!!

## The biggest mistake...

What is one of the biggest mistakes you can make when trying to mediate? This is a question I address in my latest blog (click [here](#)). The mistake is to miss out a critical factor. If it is not addressed any resulting agreement is at major risk of failure. What is the factor? Feelings. In the blog I describe how talking about feelings can feel difficult for participants. Avoiding it therefore is often the easy way out. But it won't work. If the conflict has reached the point of needing mediation, emotions have become involved. Therefore those feelings need to be expressed and explained. Only by addressing the feelings of both people involved can any progress be made. And don't forget the 3 F's - what are they? Read the blog to find out!

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