

# Workplace Mediation

Workplace mediation can be a quick and cost effective way of nipping difficult issues in the bud before they escalate. They can also be used to 'reset' working relationships which have become dysfunctional. They are useful for stimulating dialogue when positions are entrenched. They can also resolve serious disputes without resorting to formal legal proceedings.

## Who is this service aimed at?

Using an external mediator demonstrates that staff will be treated equally and that there is no pre-determined outcome. It can therefore encourage participation even in difficult situations. They can be arranged quickly and save management time and resource. Workplace mediation often nips issues in the bud before they become major issues using up significant HR and management resource. These often require costly legal advice when things get worse. Workplace mediation also makes it easier to protect confidentiality in sensitive situations. Additionally, actions agreed during an external mediation are more likely to be committed to because they are not perceived as being politically motivated. This helps to create resilient effective solutions to problems.

## Why use Lewis Silkin?

Lewis Silkin has a specialist team of accredited workplace mediators. We have a flexible and pragmatic approach to mediation, which is focused on practical solutions. We are also uniquely placed to guide you through the mediation process. For example:

- ▶ How do you ensure confidentiality of sensitive issues such as admissions and apologies?
- ▶ Can HR and/ or senior management maintain some control over the outcome?
- ▶ How do you preserve management authority in disputes between managers and staff who report to them?
- ▶ How do you propose that one party should leave the business, without escalating the dispute?
- ▶ How do you manage the re-introduction of staff into the workplace after a period of suspension?

Given the breadth of our experience and our specialist expertise, it is very unlikely that we will not have dealt with issues similar to those which you are facing. That means our mediators bring new and innovative options for solving your problems quickly and efficiently which the business and the parties would be unable to think of themselves.

We can also add value in feedback to HR after mediations. We are very experienced in identifying systemic or structural weaknesses in businesses, and can give HR and business managers insights into stress points in the workplace and efficient ways of addressing them. We can even place experienced HR resources into your organisation to work with you to further explore and implement our recommendations.

## What sort of workplace mediations does Lewis Silkin do?

We mediate in a very wide variety of businesses and situations. We also adopt several different styles of mediation, depending upon the circumstances. For example, some of the styles of mediations we commonly employ include:

- ▶ **Telephone mediations** – we mediate in a series of calls without having to attend the business physically. These are sometimes used when a cost effective solution is needed for difficult personal relationships
- ▶ **Facilitated discussions** – these are fast-track mediations focused on specific issues, such as dysfunctional line management relationships, or returning to work following a grievance. There is no formality. The mediator will typically have a briefing from HR followed by introductory calls with the parties, and then a time-limited meeting
- ▶ **Traditional mediations** – these are effective in all contexts, but are necessary when there is a serious issue or number of issues in the workplace, and the parties are very entrenched or lacking in trust. Ultimately, in these situations, more time and face-to-face discussion is needed to win the trust of the parties and define the true problems

Some examples of disputes we have mediated include:

- ▶ A boardroom dispute between warring director/shareholders.
- ▶ A breakdown in the working relationship between a manager and her assistant for a global media company.
- ▶ Determining the return to work process for an employee of an arts organisation after complaints of sexual orientation discrimination in a grievance had been upheld.
- ▶ A breakdown in trust between a tutor and his students, for a Russell Group university.

## What will a Lewis Silkin mediation involve?

Our workplace mediators are very flexible. We will always advise you as to the best style of mediation to adopt for a given issue. We will guide you through the process, agreeing with you what information is needed in advance, who the mediator should speak with and in what order.

### Mediation training

We provide training for HR and business managers in mediation techniques and mentor them as they develop their experience and deal with difficult problems. We can also train front line individuals on how to spot when an early mediation intervention might be an optimal course of action. We can tailor and deliver this training to best suit client needs including:

- ▶ Delivery of a mock mediation.
- ▶ Providing a concise overview of the mediation process.
- ▶ Delivery of a half day or one day workshop.

### What our clients say about us

*"They got a lot of value from yesterday. [the employee] is the most positive I have seen her for a while and she feels much more in control as a Manager and feels this structure is really clear."*

*"Thank you for your excellent handling of today's mediation. I feel very positive moving forwards."*

### How can I find out more?

For more information or an informal discussion please contact Emma Richardson, Denise Collins or your usual Lewis Silkin contact.



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