



**University of  
Sunderland**

## **MEDIATION SERVICE POLICY**

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## **1. Introduction**

- 1.1 The University recognises that encouraging positive working relationships between individuals will have a positive impact on staff and student well-being and performance.
- 1.2 The University wishes to support staff and managers to work together to resolve disputes and conflicts at a local level, to ensure minimum disruption to the delivery of the University's priorities and objectives, and to maintain high levels of morale and performance.
- 1.3 Mediation is proven to be an effective tool for resolving interpersonal conflicts between colleagues, managers and their staff, conflicts between teams or between staff and students.
- 1.4 Where issues cannot be resolved locally and relationships breakdown this policy has been designed to provide assistance.

## **2. Policy Aims**

- 2.1 The policy has been adopted to provide individuals with an objective and impartial framework for resolving conflicts at an early stage.
- 2.2 This policy aims to offer an alternative first stage for resolving conflict and also to make available a process for reconciling working relationships if this is recommended following a formal hearing.
- 2.3 Staff have the right to take up the University's Grievance Procedure during any stage of mediation.
- 2.4 Staff should read this policy in conjunction with the University's Grievance Procedure and Dignity at Work Policy.

## **3. Definition**

- 3.1 Mediation can be defined as a method of conflict resolution that brings the disputants together with an objective third party in order to find a solution.
- 3.2 Workplace mediation is most effective when individuals enter the process voluntarily, and have equal authority to reach agreements. During the process individuals are encouraged to identify their own solutions and agreements.
- 3.3 Mediators are impartial to the conflict and seek to help all parties equally. Mediators do not express opinions or make judgements about who is right or wrong.

#### **4. The University Mediation Service**

- 4.1 The University's Mediation Service is voluntary and any individual can request an initial confidential meeting with a trained mediator. Mediation does not need referral from a line manager.
- 4.2 Any request should be directed to the Mediation Service Co-ordinator via the Human Resources department. Requests may be made in person, in writing, via e-mail or by phone. Individuals will not be required to provide any details of the issues at this stage, only their own contact details.
- 4.3 In all cases, individual meetings will be arranged with a trained mediator or pair of mediators. The purpose of this initial meeting is to identify the key issues and assess if these issues are appropriate for mediation. The mediator(s) will also aim to build trust and gain commitment to the mediation process.
- 4.4 There may be circumstances where mediation will not be recommended. These include where a decision may be required by a higher authority; where the issues relate to the University's statutory obligations or duty of care; where there is a risk to safety / well being or if formal action has been instigated (e.g. disciplinary proceedings).
- 4.5 Individual meetings will be strictly confidential and the mediator(s) will not disclose whether the other party has committed to mediation, without their formal consent.
- 4.6 If mediation is considered appropriate, all individuals must voluntarily agree to be involved. All parties will be informed of their right to withdraw from the process at anytime.
- 4.7 The mediation process is confidential. The only exception to this rule of strict confidentiality is where there is evidence of a serious breach of statutory positions, or where there is evidence of serious risk to health and safety. In these circumstances the process will be terminated and the Mediation Service Co-ordinator informed.
- 4.8 The mediator(s) will contact all individuals with an initial plan for the mediation process. This will suggest the number of sessions that may be required to resolve the issues. Mediators will try to arrange initial meetings as quickly as possible.
- 4.9 Should individuals have any concerns about the impartiality of the mediator(s) chosen, this should be raised with the Mediation Service Co-ordinator.

## **5. During the Mediation**

- 5.1 During the joint meeting each participant will have a chance to speak, and the mediator(s) will help to clarify the issues that need to be addressed. Once the issues have been identified and discussed the mediator(s) will assist the individuals to identify possible solutions.
- 5.2 The mediator(s) may also seek to work with the parties on improving their communication and style of interaction. Individuals will be encouraged to be open and honest, and express their feelings clearly to one another.
- 5.3 Individuals can request to be accompanied during the mediation by a University colleague. In such cases, colleagues may provide support, but cannot contribute to the discussions. All parties involved in the mediation must agree to this in advance.
- 5.4 All discussions during the mediation are confidential and no information can be passed on by the mediator(s), by either party, or by any accompanying colleague, about any of the proceedings.
- 5.5 Any notes taken during the session will be destroyed at the end of the session in front of the other parties, with the exception of notes relating to any agreements that are taken by the mediator.

## **6. The Mediation Agreement**

- 6.1 If a mutual agreement is reached, the mediator(s) may clarify the details in writing and the parties will sign the agreement.
- 6.2 Copies of any written mediation agreement will be held in the Human Resources department.
- 6.3 If an agreement is not reached staff may still use the formal procedures (e.g. University's Grievance Procedure or Dignity at Work Policy) but the mediator(s) cannot be called to participate in any resulting formal action.

## **7. Monitoring and Evaluation**

- 7.1 Information will be collected on gender, ethnic origin, age group, disability, sexual orientation and religion for monitoring purposes. The nature of the issue will also be recorded. Some confidential monitoring of outcomes will also be recorded.
- 7.2 All parties involved in the mediation process will be consulted for feedback on the effectiveness of the process.