

## Mediation at work

### 1 . What mediation is and how it can help

Mediation is a way to mend relationships when there is a disagreement at work.

It is held by a 'mediator' (neutral person). The mediator is impartial. This means they do not take sides. They're there to help everyone involved find a solution they can all agree to.

Mediation is not about judging who was right or wrong in the past. It looks at how to agree on working together in the future.

Mediation is a quick way to resolve disagreement at work. It is also:

- less formal
- flexible
- voluntary
- confidential
- usually not legally binding

### How mediation can help

Mediation helps to mend relationships at work by:

- finding solutions that everyone agrees to
- improving communication
- allowing everyone involved to have control of what's finally agreed

There are many benefits of mediation. For example, it can help to:

- reduce stress
- keep valuable employees
- avoid more formal processes, such as going to employment tribunal
- stop more grievances being raised
- avoid paying high costs, for example, employment tribunal claims

Mediation outcomes are decided by everyone involved and can be flexible. Outcomes might include:

- an acknowledgement of each party's views
- a commitment to change behaviour
- a commitment to regularly review the agreement reached
- an agreement to review policies and procedures
- an agreement to share work more fairly and provide more responsibility

## A voluntary and confidential process

If you do not want to take part in mediation, you do not have to.

Mediation is voluntary and confidential. The mediator will agree with everyone involved what information can be shared outside the mediation and how. If you do not reach an agreement, anything that's been said during the mediation must be kept confidential and cannot be used in future procedures.

## When mediation can be used

Mediation can be used to resolve disagreements around relationships at work.

For example, you can use mediation to resolve:

- bullying and harassment
- communication problems
- personality clashes
- relationship breakdowns

Generally, mediation is not used to resolve disputes such as pay or issues related to dismissal or conduct.

## When to start mediation

It's a good idea to try and resolve the problem informally first, before thinking about using mediation.

[Find out how to raise a problem at work](#)

If the problem cannot be resolved informally, you can use mediation. Mediation can be used at any stage in a disagreement, but it's best to start it as soon as possible. The earlier the disagreement is dealt with, the less chance there is of things getting worse.

You could also use mediation to rebuild relationships after a disciplinary or grievance process.

## Guidance for employers

[Read our mediation guidance for employers written with the Chartered Institute of Personnel and Development](#)

## 2. Introducing mediation at work

If you're an employer looking to introduce mediation in your organisation, you should think about what you want to achieve from using mediation.

For example, this could be to:

- reduce grievances and conflict
- improve the culture at work

There are 2 ways you can introduce mediation in your organisation. You can:

- use an external mediator who comes to your organisation
- set up your own internal mediation scheme by training employees to act as mediators

The option you choose should be suitable for your organisation. For example, a larger organisation might invest in its own mediation scheme. A smaller organisation might use an external mediator when necessary. Or, some might choose a combination.

## Using an external mediator

If you use an external mediator, it's a good idea for a person or team to be responsible for overseeing mediation arrangements.

You should also include the expected cost for mediation in the organisation's budget.

### In smaller organisations

Using an external mediator might be a good option for a smaller organisation. This is because it can be expensive to set up an internal scheme. It can also be difficult to make sure that employees in a smaller organisation are:

- impartial – the parties involved should not know the mediator
- available for mediation – employees will need time off for mediations

Using an external mediator means that you can mediate when necessary without taking up your employees' time.

### In larger organisations

You might still use an external mediator in some situations, even if you have invested in your own internal mediation scheme.

For example, it might be appropriate to use an external mediator when:

- the internal mediator has a conflict of interest
- an internal mediator is not available quickly enough
- those involved in potential mediation are senior managers
- the issue involves a very sensitive situation

If you use an external mediator who comes to your organisation, you need to be sure that the mediator will:

- not take sides
- work to find a solution that everyone agrees on

There are many mediation providers you can choose from, including Acas.

Once you have decided which provider you're going to use, you should discuss:

- the contract
- costs
- timings

[Find out about Acas mediation support](#)

## Setting up an internal mediation scheme

If you're thinking about introducing your own internal mediation scheme, you could pilot a scheme first to see if it works. For example, you could set up a pilot scheme in one area or region of your organisation. If it's successful, you could expand the scheme.

It's a good idea for a person or team to be responsible for overseeing mediation arrangements. For example, telling potential parties about the mediation process and keeping statistics so you can evaluate your mediation scheme.

## Selecting employees to act as internal mediators

When selecting employees to act as mediators, you can ask:

- employees to volunteer
- managers to nominate employees

If employees volunteer, it's a good idea to set minimum standards which they should meet. For example, having an understanding of conflict management. This will help make sure that only those who meet certain criteria apply, and you do not have too many applications to review.

You should select a diverse range of employees to act as mediators.

This will help you:

- match mediators to parties more easily
- make sure that mediators are impartial

## Training employees to act as internal mediators

If you decide to train your employees to act as mediators, you should:

- make sure mediation responsibilities are included in their job descriptions
- give employees time off for mediations

Employees who act as mediators need to be trained in mediation techniques. They also need to understand their role and how it fits in with their organisation's policies and procedures.

Acas offers accredited mediation training called the Certificate in Internal Workplace Mediation (CIWM). This training gives trainees the skills and knowledge they need to effectively mediate in their own organisation.

[Find out more about the Certificate in Internal Workplace Mediation \(CIWM\)](#)

Acas also provides:

- [mediation skills training for managers](#)
- [conflict management training](#)

## Including mediation in your policies

Mediation should be introduced as part of your organisation's approach to people management. There are many ways you can include mediation in policies and procedures.

For example you could include it in:

- employment contracts
- your bullying and harassment policy
- your grievance or dispute resolution procedure

## Getting support from your trade union and managers

When you introduce mediation to your organisation, you should get support from:

- senior managers
- line managers
- trade unions
- employee representatives

You should work with them to introduce mediation, so that they understand:

- why mediation is being introduced
- the benefits it can bring
- how it will be embedded in the organisation

Getting this support will help you to promote mediation in your organisation as a way to resolve conflict.

## Launching and promoting mediation

You should think about how you're going to launch and promote mediation in your organisation.

If you've set up your own internal scheme, you could have a formal launch to promote the scheme.

If you're using external mediators, you should promote mediation across the organisation so that people are aware of it.

It's up to you whether you decide to launch mediation in a high-profile way, or engage people over time.

You can promote mediation as an option that's:

- flexible
- confidential
- less formal
- voluntary

You could promote mediation through:

- intranet articles
- leaflets
- posters
- information from HR
- workshops for trade union representatives and managers

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