Improving work/study relationships

Mediation Service at the University of Bath

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Mediation Service

What is mediation?

Relationships in the university community can become difficult. Students or staff who want to improve their relationship, with a colleague for another student, can contact the Mediation Service who are there to help. Mediation is an informal, structured process in which an independent, impartial, third party (a mediator), helps people in a disagreement to create for themselves a way forward in a dispute or other conflict situation. Mediation can assist people to restore and develop healthy working relationships. The goal of mediation is for the people involved in a disagreement or dispute to negotiate their own mutually agreed solutions to their problems. This is as relevant to a student as to a member of staff.

Mediation is:

• future-focused - it is concerned with how things will be from now on, rather than finding blame for how things have been in the past.

• optional - any party can withdraw from the process at any stage, to use other formal and informal procedures or if the issue no longer require addressing.

• private and confidential - information shared during mediation is not disclosed to anyone.

As an independent third party, mediators do not express views about how to handle a specific conflict. Mediators help the parties find an agreement between themselves. Mediators do not advise on a course of action. Mediators from the University mediation service will normally work in pairs.

Accessing the service

Requests for mediation support may arise from a number of sources: the individuals themselves, line managers, trade unions, or from HR. Requests for mediation support should in the first instance be made either to the Mediation Service Manager (MSM), Advice and Representation Centre – Welfare team (Students’ Union) or to an HR Manager who will pass the request on to the MSM. The MSM is responsible for allocating cases to mediators and for the administrative arrangements for the mediation.

The MSM will contact the parties involved separately to discuss the mediation process and assess whether the problem presented is suitable for mediation. The MSM will arrange the initial meetings. This meeting is an opportunity for those using mediation to explain the problem from their perspective to the mediators and to explore and clarify what they want from the mediation process. It provides a good opportunity to raise with the mediators any concerns or questions about the mediation process. The initial meeting also allows the mediator to meet the parties separately, to explain the mediator’s role and discuss the issues.

If everyone agrees, a mediation meeting between all the parties follows the briefing meetings. This is chaired by the mediators. Usually one individual briefing meeting and one mediation meeting are sufficient. Depending on the issues, further meetings may be needed. If the parties reach an agreement about ways forward, the mediator will help them to put this in writing if they wish. It is up to the parties to decide whether anyone else receives a copy of the agreement.

The mediators will report the outcome of the mediation process (as agreed with the parties) to the co-ordinator of the mediation service on case closure.

Confidentiality

The content of any mediation meeting is confidential. The mediators will not pass on anything said during the mediation process without the permission of the parties involved, unless this would involve them in breaking the law. Any written agreement reached by the parties will remain confidential to the parties and the mediator unless the parties specifically agree otherwise.

Remit of the mediator

Mediation is a short term intervention in order to assist parties in dispute to resolve their differences. Mediators will not enter into any long term relationship with the parties and will not undertake work of a counselling nature. Mediators may not be accessed directly by staff for ‘follow up’ input on any particular case. If for any reason the mediation process does not lead to a resolution acceptable to the parties, the mediators involved in the case may not be called upon as witnesses or to assist in any way if formal procedures, internal or external, are invoked by any of the parties to the mediation on the issue covered by the mediation.

Seeing the process through

It is hoped that all parties will remain committed to the process once begun for the sake of other parties and an informal resolution, if it can be achieved, is usually better than an issue remaining unaddressed or formal procedures having to be invoked. The process should normally take 6 weeks to complete.