



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 the first statistics for Employment Tribunal claims following the abolition of fees. There are also a couple of great articles on how mediation can be used to great social benefit, helping prisoners in Dartmoor jail and also to help address sexual harassment claims.

Marc Reid

Jump in Tribunal claims after fees are abolished



As reported in my last News and Views Letter, the Supreme Court ruled last year that charging fees for Employment Tri-

bunal claims was unlawful. We have now had the first quarterly reporting of claims since the abolition and unsurprisingly the number of claims has shot up. According to this article in People Management (click [here](#)) the number of single claims rose by 64% in the Aug-Oct 2017 quarter. As the article points out, this figure is close to the level of claims made before fees were brought in. What will be interesting to see is if this is a spike brought about by the publicity surrounding the issue or whether this level will be maintained. The article makes a really important point that companies should minimise the now increased risk of issues ending up at Tribunal, by ensuring their managers are well equipped to resolve issues at the earliest opportunity. Mediation is one obvious tool managers can use to address this.

Using mediation to address sexual harassment claims

Recently the news has been awash with stories opening the lid on sexual harassment, in particular in the entertainment industry. One of the biggest stories surrounded the Old Vic and the alleged misconduct of Kevin Spacey, its former artistic director. This article in The Stage (click [here](#)) explains how the theatre has responded by setting up a 'Guardians' programme. The programme is designed to give employees someone they can approach confidentially with their concerns and seek support and advice on how to address them. In particular I noted that the appointed individuals will be trained in mediation. I think mediation has something to offer in helping appropriate low level cases. Provided both people are willing, it gives the chance to address the behaviour and its impact in a safe and facilitated environment.

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

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Training inmates in mediation

Those of us involved in mediation can sometimes take its potential to bring about positive change for granted. So it is fantastic to be reminded occasionally of the power of mediation through inspiring stories such as this (click [here](#)). The Guardian reports on a scheme in Dartmoor prison whereby a group of prisoners are taught about conflict and trained in mediation skills. The course introduces the participants to techniques to deal with disputes through talking, listening and collaborating to find a way forward. Not only can this help within the prison but most importantly it equips the participants with incredibly valuable skills that they can use in the outside world and will mitigate the chances of reoffending. This is a great article and good to see that mediation's benefits are being promoted in a national newspaper.

Postgraduate degree training in mediation



Most workplace mediators take a training course of around 40 hours to qualify as an accredited mediator.

This is sufficient to learn the process and skills but if you really want to learn about the context of conflict and the broad range of alternative dispute resolution options then there are a variety of post-graduate degree courses that you can choose from. This article in the Guardian (click [here](#)) highlights how critical it is in today's world to have awareness of and capability in practicing the skills of dispute resolution. One interesting point is that students on these courses come from such diverse backgrounds, confirming that the skills have universal application. And there are some great 'quick facts' about mediation at the end of the article!

Website: www.mediation4.co.uk

Growth in workplace mediation?



My latest blog (click [here](#)) explores whether we are seeing the growth in the use of workplace mediation that you would expect given the benefits the approach brings to organisations. The problem with answering the growth question is the lack of reliable data, in particular comparable data measured over an extended time period. Anecdotal evidence suggests there is growth and this would certainly concur with my personal view. Interestingly the blog identifies one source of data which could give an insight into the question, as one organisation has provided significant workplace mediation services for over a decade and publishes its data every year! To find out more you'll need to read the blog.

Managing our response to conflict and 'difficult conversations'

Anyone who deals with relationship conflicts will be familiar with how you can hear two completely different stories about the same incident from two different people, with both convinced it is the 'truth'. This is because what we experience is filtered through our own perception. This excellent article from Irish mediator and trainer Mary Rafferty (click [here](#)) explores this further and in particular how we respond to negative situations. There is much talk nowadays of maintaining our resilience, to manage the stress of our work and personal lives. In the article Mary looks at three fundamental misunderstandings that prevent us being more resilient and proposes a simple, practical approach that can allow you to be more resilient and manage your response to conflict more effectively.