

A Short Guide to Voluntary Mediation Within the Royal Mail Group

*“This short guide provides details of the role of voluntary mediation and the process involved to gain access and utilise this service. The purpose of voluntary mediation is to transform the way in which we resolve workplace conflicts, disputes and disagreements within Royal Mail (RMG). It is recognised that resolving workplace conflict can be difficult and we will use two mediators to support both parties at every stage of the process. The mediators will listen to what each party has to say and encourage the parties to talk about the issues constructively and safely. The mediators **will not** make any judgement about the credibility of the issues raised by the parties or provide any solutions to the problems voiced. The mediators will remain neutral and impartial throughout the process and support both parties before, during and after mediation. It is vital that the discussions at mediation are confidential. Any agreement will come as a result of these discussions thereby ensuring that both parties are invested in the outcomes”. Thomas Kuevi, National IR Mediation Team Manager*

What is Voluntary Mediation?

Voluntary Mediation is a process whereby a ‘neutral third party’, (the mediators) facilitate a discussion concerning a workplace dispute. The mediators can be called in to help at the request of the parties or senior stakeholders and assist the parties in reaching an agreement to directly resolve the issues creating the conflict. The neutral third party in this instance will be a pair of trained mediators drawn from across the business. The Voluntary Mediation usually lasts one full day and works to create a safe environment in which parties are able to communicate and work towards the restoration of a positive working relationship. Mediation is a structured process which enables parties to identify, consider and discuss their own, and each other’s, current and future needs. The mediators will encourage open and honest communication throughout, which often leads to increased awareness, understanding and empathy between parties.

As part of the Agenda for Growth, Stability and Long Term Success Agreement, Voluntary Mediation has been introduced to supplement the existing IR Framework, enhancing our ability to resolve disputes at pace. The use of Voluntary Mediation will allow for the introduction of fresh thinking and additional expertise to facilitate outcomes between parties experiencing difficulties in their working relationship at any level of the organisation. The mediators will seek to bring the parties together within a maximum of one week from referral; this is in line with the timescales of the IR framework and is therefore supported by both RMG and the Communication Workers Union (CWU). Two full time accredited mediators, one of management grade and one of CWU grade, will be drawn from the national panel to facilitate difficult conversations across all geographic and business areas.

The Role of the Two Mediators

The two mediators are not there to broker a deal or to provide any recommendations. Their role is to facilitate open, honest dialogue and to create an environment in which both parties can find solutions to the issues that have been highlighted. The mediators will act as an impartial third party and be non-judgemental. All of the mediators have been trained by The TCM Group, the UK’s leading workplace mediation provider. They have all qualified as accredited workplace mediators through the Open College Network and have been professionally trained to create the right conditions for dialogue between the two parties using a number of approaches and techniques.

Access to the Voluntary Mediation Process

In line with the Agenda for Growth, Stability, and Long Term Success Agreement, the Heads of IR and CWU Divisional Representatives will meet periodically to discuss any disputes which may benefit from voluntary mediation. Where the parties have expressed an interest in engaging with mediation, their details and any documentation pertaining to the issues will be forwarded to the IR Mediation Team. The Head of IR along with Thomas Kuevi, National IR Mediation Team Manager, and the Divisional Representative covering the unit will discuss the completed Achieving Local Agreement Template. This conversation, to assess the appropriateness of the case for voluntary mediation, is commonly referred to as the triage. The cases taken on for voluntary mediation will have two mediators drawn from the national panel (one Manager grade and one CWU grade). The mediators will get the parties together within seven days of receipt of the referral.

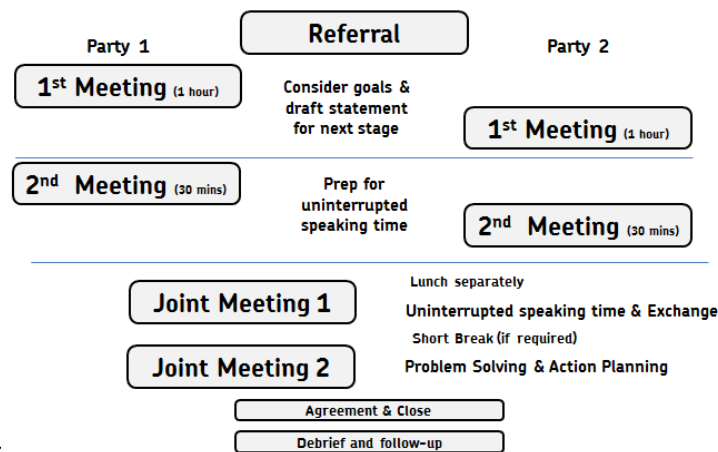


Figure 1. The Mediation Day

The mediation lasts for one full day and the aim is to reach a mutually acceptable resolution which is written up in the form of an agreement and is signed by both parties. The day consists of four meetings in the morning and a joint meeting involving all parties at the latter stage of the day. The two mediators will meet each party individually on two occasions and then bring them together for this joint meeting. The first meeting lasts approximately one hour and the second meeting no more than thirty minutes. After lunch (taken separately) the parties enter into a joint meeting facilitated by the two mediators which takes place during the afternoon. The meeting will include the uninterrupted speaking time, joint discussion and exchange, problem solving and action planning working towards a written agreement. This written agreement in many cases will not be the end of the process as it is recognised that there may be many stakeholders involved in making the agreement work and it is essential that the agreed actions are in line with any preceding agreements at a national level. With this in mind there will be a period of ratification built into any agreement reached which will allow the parties to affirm the workability of the agreement and also for the Head of IR and Divisional Representative to ensure that the agreement does not conflict with any national agreement. Once the agreement is signed off the mediators will follow up with parties to ensure the resolution has been sustained. Please note both parties will need to be available for the entirety of this process. The timings for the mediation day can be varied to meet the attendance patterns of the parties.

Step by Step Guide to Accessing Voluntary Mediation.

This guide is written primarily for cases involving local managers and local CWU reps. However it can also be applied to all cases where parties wish to engage and benefit from the use of mediation.

1. Head of IR and CWU Divisional Rep meet to identify and discuss any issues that may benefit from Voluntary Mediation (or any requests that have been made to them). Once agreed, relevant **Achieving Local Agreement form** submitted to Thomas Kuevi for triage.
2. **Triage** - a telephone call involving all relevant referring parties, namely Head of IR, Divisional Rep, DSM, and Area Rep.
3. If mediation deemed appropriate, the **Mediation Referral Form** should be completed by referrers and sent to the mediation team. The Mediation Referral Form represents the initiation of the process and consent from the parties should be gained before completion.
4. The Mediation Referral Form should be filled in completely with particular importance given to the correct contact information for the referring parties (DSM and Area rep) and for the two parties entering the process. A date should be provided by the referrers for when they would like mediation delivered. A specific time and date in the week before mediation must also be specified when both parties will be available to receive an individual Pre-Mediation 'phone call from the two mediators allocated.
5. Once this referral is received and the case is accepted for mediation, the mediation team will book a venue and allocate two mediators
6. A **Goals for Mediation Questionnaire** will be forwarded to both sets of parties and this should be completed and returned prior to the pre-mediation call.
7. Both parties will be sent invitation letters containing an **Agenda and Consent Form** for them to sign and give to the mediators on the day of mediation. This form confirms that the parties understand that the process is voluntary and also that they understand the confidentiality principle underpinning the process.
8. The parties will receive their **Pre-mediation 'phone calls** on the telephone number and at the times identified on the referral form; this call will give the parties an opportunity to ask questions and discuss the process with the two mediators
9. **Mediation** is delivered on the date identified on the referral form
10. **Ratification.** In some instances it will be necessary for any agreement between parties to be ratified with one or all of the following groups: The referrers; Head of IR, Divisional Rep, DSM, Area Rep, frontline employees and members. Time will be given for this to happen post-mediation where required.