

How Buckinghamshire Fire and Rescue Service is delivering meaningful benefits through workplace mediation

Key Learning Points

- How mediation can help to prevent issues escalating into disruptive and time consuming grievance cases.
- Why Buckinghamshire Fire & Rescue Service uses both external mediation service provision and its own internal mediation capability.

The evolution of the fire service

“Fire and rescue authorities have transformed themselves,” wrote Sir Ken Knight in his 2013 review of the English fire service, “from organisations that dealt with fire response to organisations also covering preventative and wider rescue work. They now need to transform again to reflect the completely different era of risk and demand.”

He also recognised that, as with local government in general, they have experienced, “a time of austerity which is likely to continue with downward pressure on public expenditure.”

As fire and rescue authorities respond to these challenges, the continuing scope and pace of change has been extensive. Organisational process and procedure cannot be left behind. It has to keep up, and provide support to the ongoing change.

Driving performance improvement through best practice HR and procedural innovation

Buckinghamshire Fire & Rescue Service (BFRS) has been on a significant improvement journey since 2010, when a new leadership team launched a comprehensive organisational change programme.

Part of the programme focused on workforce reform. Cost-effective alignment of people management became a strategic priority alongside increasing management accountability and continuous improvement in performance.

To facilitate this, the Employee Relations team at BFRS refreshed all legacy employment policies, ensuring they were fit-for-purpose, reflected best practice and enabled greater ownership of people management. Once completed, focus turned to the supporting procedural framework and line manager training.

“We’ve developed new, modernised procedures,” says Mark Ridder, Employee Relations and Engagement Manager at BFRS, “seeking out innovation and best practice, while consulting with the workforce and Trade Unions.

“Minor workplace conflict can arise at any point in many workplace situations, between colleagues of the same or different departments, and we were also experiencing unprecedented change during a time when austerity was high profile. The organisation’s mantra became the now all too familiar: You must do more with less.”

“We’re all about dealing with issues early and informally wherever appropriate. Mediation, in our experience, proves successful in the majority of cases. We find, in the right circumstances, it helps us to put small low-level fires out quickly rather than allowing them to escalate over time to a place where full-blown formal grievance procedures need to be initiated.”

“Recognising that any single part of this could be difficult for some people to experience, conflict resolution was something we looked at quite early on in our change programme.”

Striving to resolve any issues early, informally and quickly became the new approach for BFRS, and that is where mediation has come into its own.

“A mediator acts as a neutral or impartial facilitator in the eyes of the disputing parties to resolve conflict in a structured and confidential way” Mark explains. “This can avoid the time consuming, disruptive and costly process of using the formal procedures of discipline or grievance when these are not warranted.”

The decision was made to establish internal mediation capability. In 2012, six middle-management volunteers from the 550-strong workforce were trained.

“We’ve kept the number small,” adds Mark, “to ensure our mediators get regular experience and are well-practised. But we also recognise the role as a valuable asset to the organisation and when seeking new candidates for the mediator role, we publicise it internally as an additional self-development opportunity.”

Today, mediation is embedded in the BFRS employee relations landscape. Mark and his team have focussed on employee engagement, and coaching and training managers in more positive approaches, while the whole organisation has looked to remove silos and improve relationships between employee groups.

Mediation can be requested by both management and/or the employee, and provides an additional channel of resolution available to individuals in a dispute or disagreement situation. Although only implemented where appropriate, it is considered in every case and at an early stage, in an attempt to resolve issues and prevent problems escalating and leading to more formal action.

“Face-to-face mediation offers a way forward for employees in conflict to meet with a neutral third party,” summarises Mark, “with a view to reaching agreement about the best way the relationship can be managed. It gives the participants a creative way to resolve their concerns through collaborative problem solving, and work together in order to rebuild the relationship.

“Mediation is conducted on the basis that both parties want to achieve a mutually agreeable outcome and solution. A successful mediation should lead to all participants feeling that the outcome is fair, reasonable and appropriate under the circumstances.

“BFRS was willing and receptive to new ways of working. Now we’re all about dealing with issues early and informally wherever appropriate. Mediation, in our experience, proves successful in the majority of cases. We find, in the right circumstances, it helps us to put small low-level fires out quickly rather than allowing them to escalate over time to a place where full-blown formal grievance procedures need to be initiated. We will continue to promote internal mediation as a positive and successfully tested process of resolving conflict and disputes between colleagues.”

Broadening the mediation framework with external support

Sometimes it is necessary to ask for support from outside the internal mediation network.

“One of the barriers to successful mediation can be a perceived lack of impartiality on the part of the mediator,” explains Mark, “which can lead to a lack of trust. Alternatively, an internal mediator may not have the experience or seniority to effectively mediate more serious disputes. If an internal mediator is unable to resolve a conflict for these reasons, staff may lose confidence in mediation.

“For risk reduction alone it’s totally worth it, but it isn’t just about mitigating the impact. Mediation is helping minimise conflict.

Today, people are encouraged to raise issues, but rather than increasing, our case load has reduced significantly.”

“We have engaged South East Employers (SEE) as our external mediation provider for their experience and impartiality. This could be when one of the parties feels an internal mediator cannot be neutral or impartial, or where one of the parties may work in closer association with the internal mediator at some time in the future. I would also recommend the use of external mediators in complex, sensitive cases when there is a high risk of a time consuming and costly external litigation.”

Sue Keogh, Associate Consultant at SEE, said: “We’ve delivered volatile mediations and we understand the high-level context and culture in fire services. We are comfortable with that environment and circumstances.

“Mediation is an opportunity to circumvent behavioural barricades. It’s a discreet process and a safe environment in which defences can be lowered – I’ve seen them come tumbling down. The presence of the mediator helps to establish a sense of neutral territory and equal footing. The breakthrough is always the same: genuine engagement. That’s key to getting people to open up, understand one another and work together towards mutually beneficial outcomes.”

Mitigating grievance impacts and driving out conflict in support of strategic objectives

For Mark, the benefits of mediation outweigh the costs by a wide margin:

“The cost of internal implementation was not particularly significant. External support is more, but still immaterial compared to the cost of not doing it. Some formal grievance or tribunal cases can take months to resolve. Throughout you may have to deal with sickness absence and lost time, occupational health and counselling costs, backfilling costs and staff leaving, and all the disruption to line managers and their teams. It eats management and HR time as well, and it can all add up to a big impact on performance. Mediation can help to avoid that.

“For risk reduction alone it’s totally worth it, but it isn’t just about mitigating the impact. Mediation is helping minimise conflict. Previously, issues might have been buried and gone unnoticed. Even minor problems can fester, and disengagement can create operational inefficiencies. Today, people are encouraged to raise issues, but rather than increasing, our case load has reduced significantly.”

The current iteration of the BFRS People Strategy focusses on optimising employee contribution and wellbeing for delivery of strategic objectives. For Mark, mediation aligns extremely well to these goals:

“We want effective and productive working relationships and a culture of trust that holds us together rather than driving us apart. We want to be an employer of choice. And, of course, we want to reduce costs and case management activities whilst mitigating workplace stress. It all requires a modern approach to employee relations, and mediation exemplifies the approach we’ve taken. We’re now reviewing the performance of our new policies and procedures, but the strength of mediation has already been proven.

“In most cases internal mediation is recommended as an early intervention when conflict arises on an individual level between two staff members. We have many examples of where internal mediation has resolved conflict between the staff member and a colleague. In one very sensitive and high-risk case involving a dispute between a manager and a member of staff who was feeling very vulnerable, SEE successfully mediated for us reaching an agreed mediation outcome and resolving the matter in just one day. This de-escalated the conflict entirely and allowed us to progress matters that had been gridlocked previously. The individual who was off work due to the workplace conflict returned to work in a better frame of mind having clarified and resolved the matter.”

“Through their pursuit of best practice, willingness to innovate, and engagement with the organisation, Mark and his team have been building resilience into the service and helping it to adapt to the changing context.”

Jennifer McNeill of SEE said: “BFRS has a strong and well implemented employee relations strategy that embraces new and alternative ways of working and is, combined with other elements of their people strategy, embedding a responsive people management mindset.

“Understanding the benefits of mediation and how to most appropriately realise them has been key to their success, as has robust pragmatism in the face of emerging needs and efficiency constraints. By recognising the value that external support can add, and how it complements a solid internal mediation capability, they have enhanced the versatility of that capability. Through their pursuit of best practice, willingness to innovate, and engagement with the organisation, Mark and his team have been building resilience into the service and helping it to adapt to the changing context.”



About Buckinghamshire Fire and Rescue Service

Find out more about Buckinghamshire Fire & Rescue Service on its website at <http://bucksfire.gov.uk/about-us>

About South East Employers

South East Employers (SEE) is an independent and not-for-profit centre of excellence, advising and supporting employers. They are a leading provider of high quality consultancy and learning in areas of organisational change, leadership, compliance with employment law, governance and local democracy. As a central 'hub', they are a forum for networks, partnerships and shared learning. They aim to add value through their wealth of local knowledge, experience and professional expertise regarding the challenges and opportunities facing organisations today and tomorrow.

Since 2010 SEE have trained over 270 mediators and delivered over 60 successful mediations for a range of employers. They are regularly called upon to deliver mediation training and complex mediations in other regions.

The SEE mediation programme is designed and delivered to take account of real and increasingly complex workplace situations. It develops confident and mediation-ready mediators who can gain an ILM certificate on successful completion of the course and assignments.

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