



Best practice in action:

# Building organisational resilience through effective conflict management

Case studies



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# How Surrey County Council is delivering meaningful benefits through workplace mediation

## Key learning points

- How Surrey County Council has pushed the boundaries of early dispute resolution, building on their mediation capability to drive a restorative revolution and continuous cultural improvement.
- Why an internal and employee-led capability is key to overcoming cultural resistance, driving meaningful adoption and realising transformational benefits.
- Why training is fundamental to establishing a robust capability, and how South East Employers has helped Surrey to design, put in place and deliver a custom training solution that has underpinned progress and enabled the achievement of strategic goals.

## A perfect storm of opportunity

In 2017, Surrey County Council (SCC) fully launched its Restorative Framework, a comprehensive and integrated system of complementary self-service solutions, designed to enable the organisation to positively and efficiently identify and resolve issues arising between employees. In operation the framework is owned and delivered by an employee network, while the council's Equality, Inclusion and Wellbeing team, led by Abid Dar, has been responsible for its implementation and ongoing development.

The Restorative Framework has taken Abid and his team eight years to build, initiated as part of a major programme of cultural transformation. Abid joined SCC in the summer of 2009, at the same time that the council was criticised for institutional bullying in a leadership report publicised in the London press.

"The blaming and bullying, the arrogance and remoteness, the associated inability for the organisation to learn," read the report, "have in combination created a situation where it seems that almost everyone in the organisation could see what was wrong, but no one felt able, empowered or safe enough to articulate it."

"This was our key driver," explains Abid. "It couldn't get any worse than that."

David McNulty, Chief Executive for SCC from 2009-2017, joined at the same time, bringing with him a compelling vision for the future of the council and the culture underpinning it.

"David wanted to build change around what was most meaningful for our people. We initiated extensive dialogue with employees, listening to them and exploring their feedback, gathering input for a refresh of our organisational values. We also developed a behavioural framework aligned to living those values. These were powerful vehicles for change and the Restorative Framework is absolutely a part of that journey – we have all worked to drive a fit-for-purpose culture defined by coaching and open conversation. We want to become a restorative organisation, and the framework is our pathway to growing a culture where negative behaviour doesn't even happen in the first place."

For Abid, the challenge was enabling the council to model and promote the values whilst more effectively managing instances of negative behaviour. To understand employee perspectives on the issues, Abid introduced new questions into the annual employee survey. The results helped to give shape to the problem: 25% of employees claimed to have experienced or witnessed harassment or bullying, the majority of which was peer-to-peer.



"And of those 25%," Abid adds, "two-thirds advised us that they took no action. There was a reluctance to do anything in the assumption it would lead to formal grievance. Some may have believed their cases weren't strong enough, others may have been intimidated by fear of consequences. Less than half of those who did take action reported satisfaction with the outcomes. There was no access to a safe, neutral and discreet option, and people wanted to avoid becoming victims of the system. In some cases, people only reported problems after they'd resigned, because only then did they feel safe enough to come forward. We're a talent-conscious organisation, but we were losing good people for the wrong reasons."

Abid is keen to point out the risks inherent in witnessing poor behaviour as well as experiencing it first-hand:

"The wider impact of bullying and harassment shouldn't be underestimated. The impact on a witness can be just as strong as the impact on the abused party, but there are no interventions for witnesses. It all contributes to cultural decline."

The evidence confronting the council – strong discontent, inadequate reporting of issues and low satisfaction with formal outcomes – presented a clear and critical business need for a better and more accessible approach.

"This was the catalyst that launched the Restorative Framework," says Abid. "Significant risk and public exposure; new leadership with a powerful vision; local government creaking and straining to provide essential services; the appetite for change and the need for cultural transformation. It was a perfect storm of opportunity."

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### **The solution waiting to be found to a problem everyone knew existed**

Beginning with mediation, the diverse components of the framework have emerged in an incremental and innovative evolutionary sequence, driven by the council's relentless pursuit of continuous cultural improvement. Specifically, the goal has been to encourage a non-hierarchical and employee-led restorative revolution across the council, with a view to mitigating not only the impact of employee-to-employee grievance but the causes as well.

"Everything we've done has tried to answer one fundamental question: why wait? Why not bring a bad or challenging situation to somebody's attention as soon as possible? Why not report harassment straight away? Any delay risks greater and irreversible damage – the consequences of which can take a long time to heal, if they ever do. We wanted to do everything we could to remove the barriers to taking appropriate action."

Mediation was introduced in 2011, having secured the necessary approval and buy-in from key stakeholders.

"There was a lot of engagement to do. It required a degree of learning for the organisation; of re-education and repositioning how we resolve conflict. Our survey helped us to make a strong case, clarifying the risk and impact. We presented a costed proposal to the Head of HR and our Chief Executive. Both were very keen. There were some challenges and queries from legal and the Trade Unions, but overall mediation was welcomed. There was a good energy about it, and a sense that it was the solution waiting to be found to a problem everyone knew existed."



One year later, an experiential survey of the council's business services revealed that over 70% of staff were experiencing or witnessing unacceptable behaviour, but at a level not traditionally identified and provided for in policy. These low-level problems, or 'micro-aggressions' as Abid refers to them, include behaviour such as banter, sarcasm, ignoring and avoidance.

"Instances of micro-aggression may seem insignificant at face value," Abid explains, "but these people also reported that their experiences were having an impact on their wellbeing. These incidents may be more subtle, but they can be just as impactful. Over time these patterns of behaviour can have an erosive impact on morale, esteem and confidence."

Seven-and-a-half years ago, Abid wrote the council's policy for zero tolerance of unacceptable behaviour.

"We weren't living it. We talked about respect, but these were all forms of low level disrespect. And because of their inconsequential nature on the surface, people didn't feel they warranted mediation."

In response, Abid and his team conceived of and established an employee network of local workplace Fairness Champions.

*"We didn't plan each step from the beginning, but we have always asked ourselves, 'What more can we do?' It's been incremental – emerging and evolving over time. As the needs and nuances of the organisation have become clearer to us, we've been able to build and innovate – adding depth and breadth to the existing solution."*

"The Fairness Champions are the entry point for anyone requiring the support of the Restorative Framework. They are potentially the first person someone can confide in. Their purpose is to provide a strong and supportive ear. They listen, but they also advise, enabling and empowering the individual to think through their options and plan appropriately. Fairness Champions offer a mix of listening, coaching and signposting support. It helps people to process and manage their emotions, then identify and adopt a more clear and rational approach."

The final element in the Restorative Framework was introduced two years ago: Restorative Facilitation.

"Restorative Facilitators provide a safe and facilitated route for lower level issues requiring intervention but not full mediation. Smaller scale scenarios that represent a risk. We sometimes think of it as 'mediation-lite'."

In hindsight, the build of the Restorative Framework has followed a logical series of steps, working systematically to close the gaps between formal HR process and an emerging culture of positive behaviour and informal resolution, driving out conflict, bullying and harassment. While Abid acknowledges that the framework was not designed in its entirety from the outset, a strategic vision is recognisable in the direction they have taken.

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For Abid, meaningful outcomes depend on flexibility and a diverse suite of solutions.

"Conflict is a segmented market. Mediation doesn't get to it all, but you can apply the model in different ways. Once we'd adopted our core mediation capability – alongside our existing coaching service – we began to adapt and innovate. We're not wedded to a single formula. We've got 204 workplaces and they're all different. We need to recognise and understand that. A generic offer cannot meet all requirements."



To enable as many people as possible to access a service that will deal with as many scenarios as possible in a quick and safe way, we have to have options that are right for each set of circumstances and the people involved.”

### Training is key to internal ownership and advocacy

Successful cultural engagement and integration has been fundamental to the establishment of the Restorative Framework, and training has been at the heart of responding to and reconciling with the cultural challenge. Building the framework around the most appropriate and effective training solution has been critical in attaching and securing it to the organisation and driving its cultural integration. Abid is clear, though, that you can't necessarily shoe-horn mediation into an organisation and expect it to flourish.

“In a hostile and incompatible environment it won't land properly. If you want it to stick – if you want it to *work* – you have to prepare the foundations. The more you prepare, the less steep the implementation curve. You need a culture that has the potential to accept it – or at least be heading in that direction. Only then will it be able to establish and legitimise itself.”

In SCC, that meant overcoming entrenched dissatisfaction with formal HR intervention and corporate insensitivity.

“It had to be internal and it had to be employee-led,” Abid asserts. “To encourage people to accept and use the service we needed them to see that restorative practice isn't just the precursor to formal process, and that it's a genuinely independent resource, not just another corporate HR scheme. This way people can seek support from 'one of us' rather than 'one of them'. It diffuses the ideology of hierarchy. Our only contact with the process is to keep track of the number of interventions delivered, as reported to us by the Restorative Framework.”

An internal solution owned by the workforce also enables a broader investment in cultural change:

“We haven't gone out of our way to sell it to anyone. You need to allow a natural reputation to grow on its own merits. Don't push it. Introduce it gently and be patient. Let them see the value for themselves, otherwise they'll only see corporate interference. The only way to engage authentically is through the feedback of those who have accessed the service. An external service provider denies you that opportunity by effectively disabling viral advocacy. With internal and employee-led capability, however, you have the potential for anyone touched by the experience to publicise its benefits. They become champions for cultural change. We have hundreds of people promoting restorative practice, not just the HR department, and not just our practitioner community.”

It is the compelling power of internal advocacy that has driven the implementation past initial scepticism and beyond the early wins to a significant cultural shift.

“The more we build the reputation, the more it embeds, and as the reputation and accompanying perception of legitimacy has grown, employees have built their own expectations: to try resolving issues informally. It was the exception, now it's the norm. Not only that, people are becoming intuitively aware of expected behaviours, and of their own behaviour and the impact it can have, which moves us closer to growing the restorative culture.”

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For Abid, the key to internal ownership and advocacy is training:

“Our restorative training programme has grown with the framework, or rather: the framework has grown with the training programme. It is our power plant – helping us to convert passion into proficiency and channel it out into the organisation. It’s been critical to the development and adoption of our internal capability, and ultimately it’s our employees’ ownership of that capability that cements their ownership of the framework. They have the specialism and they deliver the service – for themselves. Once they are trained, they are trusted to manage the process autonomously. They are supported, but not supervised. It creates a whole new dynamic of empowerment. Training and trust is integral to the practitioner proposition, and it’s integral to the participant proposition as well. All our HR personnel have done the restorative practice training too, which makes them more effective at articulating and promoting the services.”

### **Efficient training that moulds internal talent into effective resources**

All training for the Restorative Framework has been designed and delivered in partnership with South East Employers (SEE).

“From the inception, SEE has supported our efforts at every stage, providing training and ongoing development support for the entire network. As well as being experienced mediation practitioners they have a strong and versatile training capability, which has enabled the creation of our Mediator, Fairness Champion and Restorative Facilitator networks, with the flexibility and depth of understanding to help us create and deliver the right, complementary solutions to meet our needs.”

*“We didn’t want anyone’s off-the-shelf training – we had specific needs to meet. We wanted to commission a bespoke training solution that we could co-design. We approached SEE with this proposal and they were receptive and innovative.”*

While Abid was planning the mediation implementation, he took great care to ensure the council would have exactly the right training solution to meet their needs in terms of cost and design. He approached a national provider of accredited mediation training but was unable to reconcile time and budget constraints with their standard offering. That experience, however, gave him insight into what he wanted and how we wanted it delivered.

“Most training providers offer courses that are five days, or even two weeks. But that’s too much time to expect from your volunteers. To recruit the best mediators, you have to attract the best employees, and the best employees are already in demand, so if you want to stand any chance of bringing them on board, you can’t allow the training to turn them off.”

Abid wanted a three-day training course that incorporated all key elements of the five-day course and delivered the same learning outcomes.

“As members of SEE, we knew they offered mediation training, as well as being experienced mediation practitioners themselves. But we didn’t want anyone’s off-the-shelf training – we had specific needs to meet. We wanted to commission a bespoke training solution that we could co-design. We approached SEE with this proposal and they were receptive and innovative. Together we designed a programme that gives our volunteers the skills and confidence to deliver mediation end-to-end, aligned to our preferred mediation model and now endorsed by ILM.”

SEE also helped Abid to define the mediator skillset, identifying the necessary skills and competencies, plus desirable knowledge and experience.



"They gave us guidance in recruiting the right people, helping us to understand the person specification and how best to reach out and select people for the programme. As a result, not only have we been able to identify and recruit high-performing restorative practitioners, we've also been able to engage the right people to champion the framework and drive positive awareness throughout the organisation."

Of those who are recruited, "Many will have transferable skills – listening, coaching or facilitating, for example – but there is a difference between those techniques and mediation. You can be an accomplished coach, but you're not there to coach. The training is essential for shaping existing skills and developing them into an entirely new skillset."

### **More than just a process – enabling a bigger and broader return**

Unlocking and empowering the restorative talent inherent in the workforce has improved the resilience, sustainability and scalability of the framework, whilst enabling a broader impact.

"Through our restorative training we transfer into the organisation not only the knowledge and capability, but also the attitude and philosophy. We're not just informing people about a process."

Beyond how to deliver mediation, the training covers a wide range of skills and insights around conflict in the workplace and how to manage it appropriately, including how to recognise symptoms of conflict and explain mediation to stakeholders.

"That gives us a bigger and broader return. Restorative skills have permeated general managerial capability and workplace relationships. Our practitioners are more confident about tackling complex situations and more conscious of team dynamics and potential challenges. They don't limit their intervention to cases raised by employees, they take it upon themselves to intervene and resolve situations as they identify and encounter them, effectively nipping potential issues in the bud. All around the organisation we have people working in different areas, applying mediation skills in and around their day jobs. In some cases, those skills are core to the day job – managing neighbourhood disputes, for example."

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Volunteers have been drawn from diverse backgrounds and professions.

"They're all dotted around – spread across the whole organisation at different levels. The roles are very popular. Whenever we advertise there are about a hundred expressions of interest. We usually end up recruiting only 50% of all applicants."

Mediation pools usually comprise high performing, high potential and highly-engaged employees.

"They're motivated and proactive. Our volunteers' engagement goes through the roof because they are making a difference above and beyond the day job. They're proud of providing that service, and they enjoy doing it. One of our mediators retired, but we've retained him in a casual contract to enable him to continue to provide mediation for us."

To date they have trained fifty-eight Fairness Champions, sixty-five Restorative Facilitators and thirty-nine Mediators.



"The current total active population is eighty-five. "We have five networks of people, including HR and our trade union colleagues. We've been able to expand our service this way because it's a totally sustainable, affordable model. It may have been designed and implemented centrally, but day-to-day responsibility for the service has shifted progressively to local self-sufficiency, leveraging existing employee capability and capacity."

The relationship with the trade unions has also been critical to success, helping to enable the smooth transition from a traditional industrial relations framework to the new Restorative Framework.

"Alongside our skilled HR practitioners, strong and insightful leadership and an engaged and enabled workforce, trade union sponsorship and support has been really powerful. When it comes to tackling employee issues and striving for meaningful outcomes, trade unions are switched-on and proactive. Their energy and philosophy helped to align our foundations and lift us to a whole new level. Together, we were moving from traditional ways of working to a more positive and non-adversarial approach. We had consistent trade union buy-in and support throughout. Some of our most senior trade union colleagues have completed the training and are active members of our community. They promote the framework passionately at our events and champion it on a daily basis, helping to keep it alive in organisational consciousness."

*"We estimate that up to two-thirds of all conflict is now resolved through mediation or other restorative practices. Our monitoring has previously indicated an average of one mediation request every two weeks. Meanwhile, we've experienced significant drops in employee-led formal cases."*

#### **Proven value and widespread recognition**

The deployment of the framework has been successful and take up has been strong.

"The Restorative Framework gets significant traffic. We estimate that up to two-thirds of all conflict is now resolved through mediation or other restorative practices. Our monitoring has previously indicated an average of one mediation request every two weeks. Meanwhile, we've experienced significant drops in employee-led formal cases. We have 11,000 employees (not including schools), and we might have ten or eleven employee-led grievances at any one time."

The cost-effective impacts and benefits have been felt and recognised throughout the organisation.

"Productivity is up, absence and turnover are down, and the shift of responsibility to the employee networks has reduced the burden on HR dramatically. It's enhancing our employer brand as well. And it's not as expensive as you might think."

Benefits are reported to council leadership and feature in regular update meetings with the Chief Executive.

"It helps to look at trends and patterns, and we correlate with our formal management system so we can see where we need to go strategically."

The benefits have also been recognised externally:

"We've received requests for mediation from Surrey's borough and district councils. Budgets are tight, and we have good partnerships, so we lend a hand. We provide that service and we've offered training as well."



## From the diversification of offering to the diversification of application and a broader client base

Training will remain integral for the future of the Restorative Framework at SCC. As of the launch a renewed emphasis on training is underpinning the volunteer proposition.

"Part of the purpose of the launch has been to draw everything and everyone together," says Juliet Layton, appointed as Wellbeing and Inclusion Advisor in December 2016, "to provide a greater sense of cohesion and community across the framework. All the different elements of the framework have been set up to complement one another, but the sum of the parts hasn't really been recognised until now. Alongside this is a renewed commitment to training and the launch of a new refresher training programme. Specifically, we're scheduling quarterly refresh training for all practitioners. A broad network is a strength for the framework, but it does mean that some people will have infrequent opportunities to practice. It's important to maintain people's engagement and their confidence, as well as building and enhancing their skills."

The team has also used the launch as an opportunity for stronger promotion of the framework, issuing a guide to 1,600 managers.

"We've had positive feedback," says Juliet. "It's landed well. They're really glad it's there if they need it."

Abid and Juliet have no intention of resting on their laurels going forward:

"Over the years we've cracked provision but we can always go further in embedding practice," says Abid. "We also want to become more dextrous in how we use restorative practice. For example, we see an opportunity to introduce restorative conversations into other scenarios where there is risk of conflict and grievance, like long-term absence. We also recognise its relevance beyond individual relationships: applying it to employees' relationship with the organisation itself. Where people have lost trust with the organisation, for example, and the psychological contract has been broken."

*"We see an opportunity to introduce restorative conversations into other scenarios where there is risk of conflict and grievance, like long-term absence. We also recognise its relevance beyond individual relationships: applying it to employees' relationship with the organisation itself."*

Meanwhile, they face the challenge of extending the restorative framework across their partnership with East Sussex and Brighton and Hove, via the recently formed shared business support service, Orbis.

"It's the largest business support function in local government in the South East. Approximately 2,000 employees serving all three councils. East Sussex already use mediation, and Brighton and Hove has recently introduced it. But both can benefit from the Restorative Framework. We need to strengthen and introduce a broader framework across all three councils in their entirety. Three different cultures, all at different stages of evolution. It's our most exciting opportunity yet."



# How Maidstone and Swale Borough Councils are delivering meaningful benefits through workplace mediation

## Key learning points

- How mediation training has been helping to transform relationships between HR, managers and employees at Maidstone and Swale Borough Councils whilst reducing formal case work.
- How better understanding of conflict and conflict management can help to improve organisational people and change management capabilities whilst encouraging innovation.
- How the right attitude, training and experience can accelerate progress along the mediator learning curve.

## Strengthening employee relations by developing in-house mediation specialists

In 2014, HR Shared Services (HRSS) representatives from the Mid Kent Services partnership – supporting Maidstone and Swale Borough Councils – attended the South East Employers training programme, 'Mediation and Conflict Resolution in the Workplace'.

Today they provide workplace mediation services to a total combined workforce of eight hundred.

Historically, mediation was recognised in their grievance policy and the team engaged with employee issues in an informal mediative capacity. However, this inherent capability was untrained and there was no formal mediation mechanism for the councils to apply.

"The policy hasn't changed," the HRSS team explains. "We've always promoted and supported the councils with mediation. The training was about putting something formal in place behind it. We also wanted to do more to steer people away from grievance. Grievances can be surprisingly destructive whilst mediation is far more positive – looking forward, not back. It enables happier teams and restores productivity. Conflict makes everyone uncomfortable and mediation helps them into a much better place – and it's easier, quicker and less disruptive to service."

In the past, the councils had engaged trained external mediation providers when necessary. The decision to develop an in-house service was prompted by new strategy: accumulate and build best practice internally whilst optimising specialist resources with extension and enhancement of existing capabilities.

The new mediation service was integrated into a framework of employee relations solutions, complementing in particular the internal coaching service.

"We have a number of staff trained in coaching to help employees resolve issues for themselves and pre-empt formal casework. Some situations can prove too challenging for some individuals and a little support can make a big difference. They can share their story, objectively process the situation and develop a plan of action, which could now include mediation. Meanwhile, managers are encouraged to adopt a more holistic approach and not jump straight to formal process. Our coaching and mediation offerings have an organic relationship: some issues are appropriate for coaching, some for mediation, and some fall in the middle."



## The broader benefits and deeper operational impact of informal conflict resolution

The team recognises two modes of mediation: the 'formal' procedure required by the grievance process; and the 'informal' approach they have always subscribed to, also known as "mediation with a little 'm'."

"We use *formal* mediation for more complex or risky situations whilst mediating *informally* any potential conflict on a smaller scale. In those instances we either keep an appropriate distance, coaching with mediation principles and techniques, or get a little more involved, leading informal resolution using mediation as the template."

The logic is that the introduction of formal mediation can cause a situation to escalate unnecessarily.

"Everyone is different and every situation is different. For some, a formal response could increase the severity and inflame the situation. You don't necessarily want to push things to that level too soon, and the informal approach doesn't preclude formal mediation later. In fact, in the training you learn that there is a right time to escalate instead of just chasing informal. If it does end up going formal, you can at least demonstrate informal resolution was attempted."

It's also about managing stakeholder expectations.

"Mediation needs to be delivered in line with the expectations. If they want formal, give them formal. If they want informal, take them in that direction. You adapt according to requirements. That said, share a few examples of where it's worked and how, and you may find them more willing to try your preferred approach."

Mediation training has given them greater insight – enhancing their ability to identify situations where a mediation-based approach may be appropriate – and improved their understanding of when and how to intervene.

"Our new capability has made supporting the workforce so much easier. We weren't always aware of an issue before. Even when we were aware, when is it right for HR to get involved? Do we wait to be invited? Typically we were only called in when a situation reached crisis point or the manager could no longer cope. Now the principles of mediation are ingrained in our thought processes. We can see where issues may arise and slip straight into mediation mode. We have a mechanism that enables us to step in, and feel more confident doing so."

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"Our training also taught us great techniques for containing and defusing potential conflict, like how to reframe what people say when they're upset – helping them make their point in a more effective way. Being able to remove the emotion is extremely helpful in managing any conflict. Getting people to open up and move forward constructively makes a big difference as well, as does helping people gain better perspective on the scale of an issue. We've headed off a lot of issues that way. They don't identify it as mediation, of course. What they see is a more engaged, compassionate, flexible and supportive HR service."

The HRSS team is more frequently engaged in informal resolution today, and recognise that any degree of change can increase the requirement.



"Some areas always have conflict of one form or another. New managers with new styles of management – even that scale of change can have an impact on service delivery, morale and engagement. They're often under pressure to remedy or improve performance and tend to be keen to set ambitious targets and objectives. They don't expect disengagement. It can come as quite a shock."

The new approach is encouraging ownership of issues and winning converts to the benefits of communication over command and control, especially from junior managers who are more open to coaching and support.

"Everyone who goes through the process has a positive view of it. By guiding in mediation principles we're able to help them see change from the team perspective, anticipate employee reactions and pre-empt potential conflict. We also incorporated our training into a new toolkit for managing change. For example, how to recognise potential conflict and develop appropriate strategies. Managers learn how to get more out of their staff and HR is brought in less often. You always get some who aren't on board at first, but even veteran managers come round when they start having the same issues again and again."

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As well as helping the councils to mitigate the impact and likelihood of conflict, mediation is enabling constructive criticism and innovation to emerge wherever conflict is obscuring them.

"It's easy to forget that conflict can be good. Disagreement often represents different insights, knowledge and experience, but valid and beneficial messages can be camouflaged by strength of feeling. If people feel ignored or intimidated into suppressing their opinions, they can react badly. Mediation helps managers to understand where resistance is coming from and what it represents. They can tease out important messages, even if delivered with distress or discontent. Some of the best ideas can emerge that way."

### **The mediator learning curve**

Today, the HRSS team is very comfortable in their use of mediation principles and process. They readily admit, however, that they have forged proficiency through robust training and experience.

The training created a powerful, positive momentum. They emerged from the programme enthused and determined to make best use of their new skills.

"The training showed us the tremendous potential of mediation. We were eager to spy out opportunities to make a difference."

But the 'right' situations were not immediately forthcoming.

"In time we developed greater sensitivity to less obvious situations and opportunities for pre-emptive intervention. Our first opportunities to deliver formal mediation, however, came much later."

One case involved a grievance arising from a breakdown in communication. As per policy, they first attempted resolution through mediation. Both parties were content to participate, and through the process were able to get their issues out in the open, empathise and recognise where misunderstanding and their own behaviour had contributed. Positive resolution was achieved and an ongoing relationship strategy put in place.



Another case concerned a grievance claim emerging from the later stages of other formal proceedings. Both parties had become entrenched and lost sight of purpose. Neither welcomed mediation. However, appealing to their underlying objectives and best interests persuaded both to engage with open minds. With targeted discussion instead of undisciplined argument, resolution was achieved quickly and they now work well together.

For the HRSS team, each mediation has been a powerful learning accelerant. In particular, experience has helped them to move past early anxiety about their accountability as mediators.

"You have to get out there and start doing it as soon as possible. Doing it in full capacity and getting those outcomes was a really steep learning curve. Delivering formal mediation for the first time can be an intimidating prospect. Training is a safe environment; it doesn't matter quite so much if roleplay goes wrong. In a live mediation you have to be calm and professional, but you feel this pressure to make it work because you have to deliver the benefits.

"Once you've been through it, you realise that your role is facilitation. It's not all on you. You'll have successes, but you may also have failures, which you mustn't take personally. Sometimes it doesn't work – perhaps one participant was determined not to let it work. Sometimes you can only do so much – perhaps you've got two people who just don't get on. You can't make everything perfect, but you can help make an improvement."

The right training is essential in helping new mediators to take those first critical steps in the field.

"We couldn't have done it without the training. It was invaluable and gave us the skills and confidence to move forward and do it formally. The pace and content was highly engaging – it's one of the few courses you feel could be longer not shorter. All the context, different topics and opportunities for discussion – you need all of that because there's so much to digest and reflect on. The roleplay was extremely important. You couldn't do it for real without practice. After the training, SEE offered telephone support if we ever got stuck, which made us more comfortable about getting on with it."

*"The more we use our mediation skills the more confident we become. It took a while, but we're using it a lot more now, especially in the last year. More people are engaging with mediation, more people understand the value and more positive stories are being created. It's definitely growing, and our level of ability is growing with it."*

Beyond the immediate learning curve, the team remain on a journey of development.

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# How Mole Valley District Council is delivering meaningful benefits through workplace mediation

## Key learning points

- How Mole Valley District Council has been restoring performance whilst modernising services across the organisation with the help of mediation training.
- How mediation principles are helping to redefine the purpose and value of the HR function at Mole Valley.
- How mediation can be an effective solution in a small council without the need for formal implementation.

## The need for sustainable modernisation and a more forward-facing approach to employee relations

Mole Valley is a small but ambitious district council that has sought to overcome the current plight of local government by proactively recognising and confronting areas of weakness, striving for transformation and modernisation whilst working to bring their people with them where possible.

Six years ago, the ongoing impact of austerity alongside other pressures had amplified organisational risks previously perceived to be within tolerance. Following a comprehensive review of business processes to re-align services and deliver cost reductions, the council recognised a need to turn performance around and raise employee engagement.

Disempowered people managers and the predominance of legacy employees had contributed to performance decline. Disengagement and resistance were emerging in pockets due to the volume of change confronting the workforce, creating an increasingly volatile employee relations climate.

Kate Ivackovic, Strategic HR Organisation Development Manager, was recruited for her legal background in 2011 in recognition that entrenched performance issues had no place in the future of the council. As Kate explains:

“Funding was down, public expectations were up, and to become financially self-sustaining, the council needed a new attitude and approach. That meant fundamental change at every level and a growing appetite for tackling underperformance. To do this we needed managers and employees who could understand and support change.”

The council also recognised that its legacy HR capability required strategic alignment and modernisation to be able to deliver necessary improvements.

“The need for a different type of HR had become increasingly obvious. Historically, HR in local government has prioritised protection of terms and conditions over business change. The prevalence of rules and regulations and the employee armoury of ‘rights’ often had dramatic impact on the power base. As bureaucracy grows it can undermine managers who fear antagonising the long-serving teams they depend on.

For many employers these problems can be so well established that they’ve entered the everyday fabric of the organisation. With previous management experience from within the organisation, I was acutely aware of the need to redress the balance.”



While Kate saw that HR had to evolve with the organisation, repositioning itself as a strategic partner, she also recognised that heavy-handed employee relations tactics were unlikely to serve council interests in the long term.

"Formal procedure should always be the last resort, not default response. Yes, in the past we'd been too personnel-oriented, but ripping away stability and railroading people for the sake of the business doesn't help anyone. We needed to put the past behind us decisively and bring our people with us, not push them away. You can't modernise sustainably by deferring to outdated systems, it requires a more sensitive and open-minded approach. The right outcomes have to be driven in the right way. It also requires an eye on the bigger picture. Why change? With the right vision and managers who are empowered to lead we are far more effective in motivating our people."

### Shaping a solution around the needs and nature of the council

The approach Kate chose to take was shaped by three factors in particular: the need to modernise the HR function, the need to support the council's people management capability and the internal organisational environment.

In the past the role of HR at Mole Valley had been defined by stability.

"Bureaucracy can thrive in that environment, but bureaucracy tends to face backwards, not forwards. It often stands in the way of progress because it protects against risks rather than enabling innovation."

To support the council in delivering its vision, the new HR function needed to be a more agile and responsive advisory service, closely aligned to the needs of the business.

"We needed to strike the right balance between supporting and taking the lead. We streamlined all our policies and processes, ensuring they were up-to-date and fit for purpose. We repositioned it all as a discretionary policy framework, emphasising outcomes and encouraging managers to take ownership of risks and consequences."

These changes introduced new expectations of line managers, which posed a significant challenge in itself.

"We have three-hundred people, of whom approximately thirty are senior or business managers. Below them sits a layer of people with line management responsibilities. Workloads and relationships had evolved and that population had expanded. No one really knew how many line managers there were. Some didn't even recognise they were line managers. They'd maintained their own equilibrium for a long time. And now we were introducing huge changes. They felt insecure and afraid. Some had never been invested in and there was little connection with senior management, giving them no sight of the bigger picture or understanding of their place in it and no clarity regarding objectives. We needed to mitigate the risks of disempowerment and disengagement."

The objective for Kate was to make sure that line managers were part of the solution, not part of the problem.

"We needed our managers to manage. We wanted to empower and support them, not punish them."

At the same time, Kate needed a solution compatible with the council's intimate size, structure and layout. Working closely with a county level HR department, and experiencing the contrast in cultures, had demonstrated to Kate that a formalised approach could have a detrimental impact at Mole Valley.

*"We needed to put the past behind us decisively and bring our people with us, not push them away. You can't modernise sustainably by deferring to outdated systems, it requires a more sensitive and open-minded approach. The right outcomes have to be driven in the right way."*



“Mole Valley is a small council with a fully integrated and close-knit HR and management team. Formal may work for larger organisations, but it wouldn’t be right for us. Cases would become contentious and polarised much earlier in their lifecycle, while opportunities to guide and coach managers would be limited. The organisation would either work around HR or the volume and cost of casework would increase.”

Instead, Mole Valley’s close and compact nature presented a golden opportunity for a more informal approach.

“Through our proximity to the business we have the knowledge and insight to influence performance by working with our stakeholders to enhance relationships between managers and employees as well as HR and the business.”

### **In-depth training that enables mediation to be hardwired into every HR intervention**

Kate’s vision for improving agility and resilience around people and performance issues was a more subtle employee relations revolution focussing on enhancing leadership and management through strong informal support.

*“Mediation is more effective than traditional methods for unearthing workforce issues and enabling positive outcomes more aligned to strategic objectives.*

*The more you use mediation principles, though, the less conflict you have and the less casework you get.”*

“We wanted to build trust and engagement, guiding managers away from formal processes and encouraging them to actually engage with their people – examining root causes, exploring different perspectives and improving performance based on mutual understanding.”

Kate designed her strategy around the principles of mediation. Her legal background made Kate aware of mediation and its benefits in that context, but legal mediation was not the right fit. She saw potential in using workplace mediation skills to help cultivate and shape new relationships, new behaviours and new ways of working.

“Mediation in law is about avoiding the courtroom and nobody losing. Workplace mediation focusses on exploring and challenging perceptions, identifying underlying causes, preserving dignity and delivering win-win outcomes.”

To refresh and expand her mediation knowledge and skills, Kate trained with South East Employers (SEE).

“I’d trained with them before and knew they were good. They have strong public sector contacts, local government expertise and a good relationship with our county council where they were helping to deliver mediation training.”

The training provided an immediately transferable mediation framework, but did more than equip the basics:

“It gave me confidence and helped validate my thinking. This was much deeper and more meaningful territory than my legal mediation training. It focussed on why people want what they want, which resonated perfectly with our objectives. We didn’t just learn how to run a mediation, we learned how to think, communicate and facilitate objectively in order to preserve the integrity of the process.”

The principles of mediation also resonated strongly with council values and strategic principles.

“It’s very useful to have this mindset in a small busy council experiencing so much change,” adds Kate. “Mediation is more effective than traditional methods for unearthing workforce issues and enabling positive outcomes more aligned to strategic objectives. It can help flush out emotional and contentious undercurrents by giving everyone fair and equal chance to be heard and understood. Denying that provokes behaviour that can leave you no choice but formal. The more you use mediation principles, though, the less conflict you have and the less casework you get.”



Building the new HR team, Kate sought out an HR Business Partner with mediation training and the mediation mindset, specifically recruiting someone who'd completed the SEE training with the county council. No move was made to officialise the new mediation capability, however.

"We integrated it into our approach, but formal implementation was never the intention. We apply the process and techniques wherever we feel appropriate. We don't announce it, just refer to our training as we consult, informally encouraging and prompting managers and employees to engage in the same dialogue mediators seek to facilitate."

The rationale is that this approach supports development and empowerment of line managers.

"Resolving disputes with employees is a line manager's responsibility. If we take over we undermine the manager, denying them the opportunity to own the resolution. It's fairer for the employees as well."

Whilst careful not to disrupt manager-employee dynamics, the HR team makes every effort to provide support.

"For example, managers can become so frustrated in proximity to a situation that they can, understandably, become a little blinkered. They recognise that and come to us for guidance. A coaching conversation and gentle challenges help them to steer situations to a constructive conclusion without taking or relinquishing too much control. Sometimes all it takes is a little role play to help unstick them."

There are some cases where a harder line has to be taken, but this is never done without consideration of the consequences and assessment of whether a softer and more insightful approach is appropriate.

### Embedding mediation principles in the organisation

"We use our mediation skills all the time," says Kate. "They're so versatile; hardwired into everything we do. I rely on my mediation training to provide effective counsel at the senior and executive levels while my team are challenging managers to analyse need versus intent versus impact. We head a lot of potential cases off at the pass. For example, we've just completed a major restructure that was expected to be extremely challenging. It was a great success. Everyone is satisfied and the entire service has turned around. It could have gone very differently."

*"Once upon a time, an employment tribunal was to be avoided at all costs. Problems that couldn't be sorted over a cup of tea were left alone. It's easy to avoid employment tribunals if you never bite the bullet. Now we can be robust and stick to our principles because we've done due diligence."*

The approach has raised visibility of a key risk to organisational wellbeing, but Kate warns of a potential pain barrier.

"You may experience an initial increase in formal casework as longstanding issues are cleared out. We've had our fair share of employment tribunals in this process. Once upon a time, an employment tribunal was to be avoided at all costs. Problems that couldn't be sorted over a cup of tea were left alone. It's easy to avoid employment tribunals if you never bite the bullet. Now we can be robust and stick to our principles because we've done due diligence."

Two recent employment tribunal wins have helped raise senior management awareness and appreciation.

"In the last year we've replaced two-thirds of our senior management team. All have moved up from different levels in the organisation where they've worked closely with HR. They can see the value of what we've been doing and understand the difference we're making. Some of their eyes are wide open because they've been closer to it. They're very supportive. Our new Chief Executive joined in October and I am heartened that she is supported by a bedrock of senior managers who are increasingly comfortable with a modern management approach"



Meanwhile, informal mediation capability has begun to emerge as a people management skill.

“Our managers are in a completely different place – tooled up and confident about making changes. Those who hide from problems or brush them under the carpet are the exception. Our approach has enabled the benefits of mediation to permeate deep into the organisation. An increasing number of managers are applying mediation principles without intervention. We’re not fully stabilised yet, but we’re definitely heading in the right direction.”

Many services have become more forward-facing and adaptive to change, while new talent and other new influences are helping to move Mole Valley toward a cultural tipping point, creating palpable buzz and energy.

“We can’t be sure what tomorrow may bring, but we’re in a much better position now to respond to whatever new challenges appear on the horizon.”

*“We’re in a much better position now to respond to whatever new challenges appear on the horizon.”*



# How Rushmoor Borough Council is delivering meaningful benefits through workplace mediation

## Key learning points

- How the indirect impacts of formal grievance cases can cause significant organisational loss.
- How mediation can help to improve behaviour and relationships whilst protecting against the potential damage done by formal grievance cases.
- The benefits of working with an external mediation service provider for a compact organisation.

## A simple and straightforward solution to a complex problem

In February 2017, Rushmoor Borough Council updated and relaunched their Dignity at Work policy with reference to the newly available mediation service they had recently implemented. Council employees now have the option to address and resolve any grievance through informal rather than formal process. Several cases have already been successfully resolved in this manner. Policy, governance and promotion of mediation is owned by the council's Human Resources (HR) department, while the service is delivered by South East Employers (SEE).

The decision to introduce mediation in addition to formal procedure was made in 2015. While standard process for policy change applied (requiring engagement with management, consultation with trade unions and review by the board of directors) the council was able to deploy the mediation service itself rapidly. The service was put in place during 2016.

Historically, whilst the Dignity at Work policy had highlighted informal resolution as a more appropriate approach to managing employee issues, it had not been accompanied by an enabling mechanism.

"Our policy needed a refresh," says Paul Dolling, former Principal HR Officer for the council. "It encouraged positive communication and better people management through informal resolution, but offered little practical support beyond that. In the absence of an alternative, employees could find they had only two options: do nothing or escalate issues to formal grievance."

For Rushmoor, the risk is not the likelihood of cases arising. Grievance cases have always been low in volume and frequency.

"We are a very stable organisation," Paul confirms, "and people are generally comfortable and content here. Poor people management is not an issue. The causes of discontent tend to concern the bigger picture – the political and economic situation at a national level, for example."

Instead it is the severity of the impact of any cases arising that has prompted the council to put the new solution in place.

The employee population of Rushmoor Borough Council totals three hundred, almost all of whom are based in the same location. In that environment, formal grievance cases can be disproportionately disruptive – not only on immediate participants, but across the organisation and even the community around it.

"The indirect impact of a formal case can cause broader organisational loss than its immediate impact," explains Paul.



"They can create general disturbance and distraction. Assumptions can drive counter-productive attitudes and further decline in workplace relationships. Ultimately it can all cost time and money and undermine organisational performance. It can also undermine external reputation by making it appear that an organisation does not operate in accordance with its values."

The officers of the council understood the risk and the need to do more to contain emerging issues and prevent them escalating beyond discreet control.

The answer was provided by SEE. Rushmoor has worked closely with them for twenty years, previously engaging their support in formal grievance cases. Because of their relationship and work with the council, SEE recognised that mediation would be an appropriate solution with which the council could more efficiently and effectively manage issues whilst mitigating their impact.

For Rushmoor, mediation was a compelling best practice proposition.

"Everyone could see that mediation was a simple and straightforward solution to a complex problem," says Paul. "It could help us to improve behaviour and relationships whilst also protecting against the potential damage done when formal grievance cases take hold."

### Cultural resonance and strategic alignment

Mediation emerged as the solution while Rushmoor was already engaged in a comprehensive programme of organisational development, prompted by challenges arising from significant organisational restructure two years previously.

The programme aimed to create a more mature, resilient and sustainable culture of people management and employee relations, aligned to council priorities.

Mediation resonated strongly with the changing cultural landscape and the council's vision to 'listen, learn and deliver – better'. It also aligned well with the evolving employee relations narrative and complemented the broad range of organisational development interventions and improvements.

"The changes we've made over the last few years," Paul adds, "including the introduction of mediation, will help us to maintain stability as we steer the organisation through our current transition."

*"The changes we've made over the last few years including the introduction of mediation, will help us to maintain stability as we steer the organisation through our current transition."*

### The value of an external mediation service provider

Engaging SEE as providers of the mediation service was a natural extension of the existing arrangement for grievance cases, but an external service was also critical to establishing the right mediation solution:

"Rushmoor is small and tightly-formed geographically. Everything overlaps and interrelates. It would be difficult to separate internal mediators from any cases arising. An external service completely sidesteps that challenge, guaranteeing total impartiality and confidentiality. That adds tremendous value in terms of employee assurance and enabling us to contain a situation."

The skill of SEE mediators is equally important:

"Their ability to make mediation feel calm, balanced and safe helps both participants feel comfortable and confident. Managers and employees alike can get right into the heart of an issue without fear about potential adverse consequences."



## Better outcomes, stronger relationships and powerful advocacy

Paul has been extremely impressed by the difference mediation has made:

"I have no doubt that without mediation as an option, the cases we've had would have become formal grievances. Instead, all parties have worked together to understand and resolve issues, finding mutual routes to mutually advantageous outcomes. It is a much more positive approach with a much more positive impact. Both participants emerge from the experience in a much more positive place."

The positive impact on professional relationship capability is a key benefit:

"Mediation isn't just about confronting or fixing an issue, it's about becoming more aware, receptive and flexible. That kind of interaction helps managers and employees learn, be innovative and focus on reaching the best possible outcomes. They feel safer about approaching a situation and addressing underlying challenges, and help others feel safer as well. As a result, relationships are left intact – perhaps even stronger and more authentic than before. The shared contract of action and agreement generated in conclusion also provides a tangible foundation on which to rebuild a working relationship."

*"I have no doubt that without mediation as an option, the cases we've had would have become formal grievances."*

*It is a much more positive approach with a much more positive impact. Both participants emerge from the experience in a much more positive place."*

Those who have participated in the process emerge as enthusiastic advocates.

"We've been unable to avoid positive feedback," laughs Paul. "All participants have let us know how much mediation has meant to them. They're almost effervescent about it. And it's not just us they want to share it with, the message has been broadcast more widely. Good news can travel just as quickly as bad news."

The organisation appears to be open and receptive to their advocacy.

"There's less fear of dealing with an issue now, certainly. In-keeping with our other efforts (crucial conversations training, for example) experiences with mediation are encouraging people to become more aware of their personal impact and manage it more appropriately. It's a positive learning experience for the individuals involved and a positive learning experience for the organisation as a whole."



# 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."



"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.

*"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."*

"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.



"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:

*"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."*

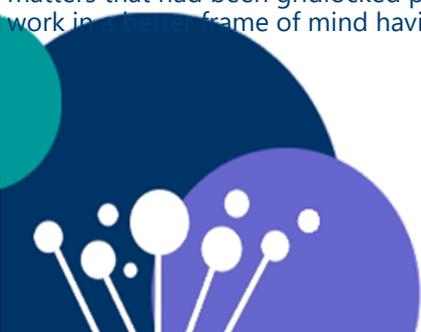
"The cost of internal implementation was not particularly significant. External support is more, but still immaterial compared to the cost of not doing it. Some formal grievance or tribunal cases can take months to resolve. Throughout you may have to deal with sickness absence and lost time, occupational 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 positive frame of mind having clarified and resolved the matter."



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."

*"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 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 has trained over 300 mediators and delivered 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.

*"I'd trained with SEE before and knew they were good. They have strong public sector contacts, local government expertise and a good relationship with our county council where they were helping to deliver mediation training. It gave me confidence and helped validate my thinking. We didn't just learn how to run a mediation, we learned how to think, communicate and facilitate objectively in order to preserve the integrity of the process."*

**Kate Ivackovic**  
**Strategic HR Organisation Development**  
**Manager**  
**Mole Valley District Council**

*"SEE have supported our efforts at every stage, providing training and ongoing development support for the entire network. As well as being experienced mediation practitioners they have a strong and versatile training capability, which has enabled the creation of our Mediator, Fairness Champion and Restorative Facilitator networks, and the flexibility and depth of understanding to help us create and deliver the right, complementary solutions to meet our needs."*

**Abid Dar**  
**Senior Equality, Inclusion and Wellbeing**  
**Manager**  
**Surrey County Council**



# Contributors



## About East Midlands Councils

East Midlands Councils (EMC) is the consultative forum for local authorities in the East Midlands, representing their interests to Government and national organisations and providing a strong voice for the region.

EMC are a not-for-profit organisation that exists to help organisations deliver better outcomes with and for local people. They enable councils to work together on key issues of common concern and help them develop their workforce and leadership and improve their services.

Forty-five of the region's local authorities are EMC members. Their governance is provided by an Executive Board of councillors from across the region.

EMC have a proven track record in effective learning and development interventions, including successful CPD programmes for environmental health, planning and housing officers, and skills-based programmes and conferences linked to learning and development objectives for individual authorities.

Authorities in the East Midlands are increasingly using mediation to resolve conflict and the EMC external mediation service can provide this support for them.

## About Surrey County Council

Surrey County Council administers major local services in the non-metropolitan county of Surrey.

These services include: education; supporting and protecting vulnerable people through social services, including assessing the needs of and providing support to children, older and disabled people in the community; managing the amount of waste Surrey people produce; ensuring that levies charged are minimised; maintaining and managing roads and public transport networks; libraries; strategic planning; consumer protection; public health; and fire and rescue services.

The county of Surrey is approximately 1,663 km<sup>2</sup> – similar to the size of Greater London. The current population estimate is 1.2m – ¼ the size of New Zealand or Ireland. It is projected that Surrey's population will increase to 1.4m by 2039. The council is composed of 81 elected Councillors.

The council's values are: Listen, Responsibility, Trust, and Respect; and its purpose – as defined by the council's corporate strategy for 2017-22 – is to ensure Surrey residents remain healthy, safe and confident about their future.

## About South West Councils

South West Councils (SWC) is a not-for-profit membership organisation. Their core members are the forty-one local authorities in the South West and they have 100 Associate members from across all sectors.

They provide specialist HR and Learning & Organisational Development support services and have trained mediators in the team, able to support organisations in a cost-effective way to deal with workplace conflict.

SWC also deliver Mediation and Conflict in the Workplace training in partnership with SEE, an ILM-endorsed programme, as well as bite-sized sessions on mediation to raise awareness of the benefits of the approach.

Their fifty years in operation and skilled team of experts enables SWC to add value to organisations across the region.

## About Mid Kent Services

The Mid-Kent Improvement Partnership (MKIP) was an agreement formed in 2008 involving three main local authorities – Maidstone Borough Council (MBC), Swale Borough Council (SBC), and Tunbridge Wells Borough Council (TWBC) – working together to improve service delivery and reduce service costs for residents across Mid-Kent. It initially also comprised Ashford Borough Council (ABC) as a full partner, and Kent County Council (KCC) as a strategic partner. In December 2015 the Partnership was rebranded as "Mid Kent Services" (MKS).

MKS is a partnership that delivers initiatives ranging from shared procurement exercises and contract monitoring arrangements, to fully shared service delivery models. The partnership is flexible to meet the needs of each authority, which means that some shared services and projects have involved only two of the authorities (e.g. HR, Revenues and Benefits), some have involved all three partner authorities (e.g. ICT and Legal), and one service involves an additional partner (Ashford Borough Council continue to be a partner in the Mid-Kent Audit service). Prior to forming MKIP some councils already had partnership arrangements in place with other local authorities, e.g. Swale's involvement in the Thames Gateway and the Licensing Partnership between Tunbridge Wells and Sevenoaks.



### **About Mole Valley District Council**

We are a high-performing, innovative local authority with a reputation for punching above our weight.

We work in a friendly, lively and dynamic environment. Challenges do not faze us; we tackle them confidently, with a creative, progressive mindset.

We believe that joint working is essential in order to thrive. We have led the way in forging strong, successful partnerships in environmental health, building control, wellbeing and waste. This collaborative working is delivering significant efficiency savings and, most importantly, better services to our residents.

Mole Valley lies at the heart of Surrey, mid-way between London and the Sussex coast, covering a hundred square miles. The district has a population of approximately 86,000 people, of whom around 72% live in the towns of Dorking and Leatherhead, and the villages of Bookham, Fetcham and Ashted. Over 90% of the district is countryside, and much of it sits within the Surrey Hills Area of Outstanding Natural Beauty.

Mole Valley's economy is robust, with thriving small-and-medium-enterprise sectors, and is the location for national and international business headquarters. Mole Valley has an unemployment rate of 0.5% and is one of the few districts in Surrey with net in-commuting.

### **About Rushmoor Borough Council**

Rushmoor Borough Council serves the communities of Aldershot and Farnborough in north-east Hampshire. The council was established in 1974 when Aldershot Borough Council and Farnborough Urban District Council joined to become Rushmoor Borough Council. The council has 39 councillors across 13 wards in Aldershot and Farnborough.

The council's stated purpose is to work with others to improve the quality of people's lives. They have four priorities that underpin this purpose, driven by a desire to listen, learn and deliver better. These four priorities are: 'sustaining a thriving economy and boosting local business'; 'supporting and empowering our communities and meeting local needs'; 'cleaner, greener and more cultural Rushmoor'; 'financially sound with services fit for the future'.

### **About Buckinghamshire Fire and Rescue Service**

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



