

CASE STUDY: Developing a nationally recognised best practice mediation service



The Ministry of Justice is one of the largest government departments.

It was one of the first government departments to embrace mediation by investing in an internal service and was cited as a forward thinking organisation in using mediation as an effective mechanism in the 2007 CIPD report and follow up 2008 ACAS Mediation guide.

Need

To build an internal workplace mediation service which was accessible, professional and effective.

Project

- 60 volunteers completed a nationally accredited Certificate in Mediation Skills training programme.
- Ongoing support and development.

Outcomes

Mediation is embedded in the organisation with successful resolutions and established savings of time and energy.

Overview

The workplace mediation scheme established by CMP for the Ministry of Justice was listed as a best-practice case study for the ACAS / CIPD publication 'Mediation – an Employers' guide', and as a best practice conference workshop at two national mediation conferences.

The Brief

The Ministry of Justice had a mission to offer its employees an informal but professionally delivered option for workplace grievances and disputes. Their goals were:

- Buy in from senior managers, trades unions and HR
- Effective processes for recruiting and selecting mediators
- Accredited training
- Effective promotion of the service
- Effective co-ordination from a dedicated member of staff
- Maintenance of confidentiality
- Clear setting of expectations about how to use mediation, when circumstances are favourable and when not
- Emphasis of the voluntariness of mediation
- Effective evaluation of the process and the outcomes of mediation

They wanted mediation training which was accredited, delivered by expert practitioners, and appropriate for the wide range of staff expected to be in-house mediators. Their plan was to build mediation gradually, implement an efficient communication strategy, but not over-market. The Ministry of Justice (MoJ) wanted to use mediation particularly for dealing with workplace relationship breakdowns, 'interpersonal conflict... when people

don't communicate and the gap gets wider and wider, and things get more and more difficult'.

The Project

CMP was selected by the MoJ as its partner organisation, being the one most able to meet the goals of their brief. CMP has provided:

- Accredited Certificate in Mediation training to more than 60 volunteers across the MoJ
- Support and training to maintain and enhance skills
- Support, advice and updating on best practice to the service manager
- Endorsed training in running an effective mediation service
- Refresher training
- Support and training during a merging with the National Offender Management Service (NOMS) to provide combined workforce support assistants

Project Outcomes

The Ministry of Justice allowed mediation to grow gradually; their view was that training too many mediators from the outset could mean that each had insufficient exposure to cases to consolidate their knowledge and skills. Training fewer mediators has meant that each can gradually hone their skills through practice. After seven years their service is now the epitome of a sustainable in-house mediation service, still enthusiastic, efficient and effective.

They trained a cross-section of staff as mediators drawn from different sites and from across the workforce. Having a variety of employees involved in providing mediation is one of the hallmarks of the scheme since it allows some flexibility in matching mediators to parties. It also helps ensure that the mediation is always provided by people who act impartially since they have no prior knowledge of the case or individuals involved.

Training mediators was not in itself sufficient, so to ensure a professional-level service MoJ appointed a part-time co-ordinator to drive forward the scheme and handle the administration and practicalities, including the task of arranging the mediations. The co-ordinator also plays an important role in holding preliminary discussions with the parties to establish whether their case is suited to mediation.

Mediation is now embedded in the organisation with many successful resolutions and established savings of time and energy.