

## **CASE STUDY: Using mediation to resolve staff-side and management conflict**

### **Cumbria NHS**

NHS Cumbria is the county's primary care trust providing communities with NHS services and collaborating with local health trusts, local government departments to ensure the provision of healthcare services in the local communities.

#### **Need**

To re-establish constructive relations between the Joint Consultative Committee and management.

#### **Project**

A group mediation between management members and staff side representatives spread over one day.

#### **Outcomes**

- 🔥 A measurable, mutual and specific written agreement between the parties.
- 🔥 More positive relations.

#### **The Brief**

Managers and unions at NHS Cumbria Primary Care Trust (formerly North Cumbria PCT) each work under intense pressures and face internal and external constraints. Government policy for change and the restructuring into NHS Cumbria PCT was creating a climate of uncertainty and stress across the organisation. A review was conducted of the relationship between management and staff side (trade union) representatives, which appeared to have suffered a breakdown in partnership working. Management and staff side had met in formal meetings which were not very constructive. At one meeting the atmosphere had been fraught and tense, and left participants feeling angry and under attack. Relationships between both sides deteriorated as a result.

Both management and staff side agreed it was vital that they work together in a constructive manner in order to address future challenges. Both sides expressed a willingness to have a frank exchange of views, to learn from past mistakes and to look forward to improving the working relationship. It was agreed that a meeting facilitated by an independent and external agency would be the first step in addressing the problem.

The proposed agenda items for the mediation were:

- Review of partnership working projects/initiatives
- Agreement of issues undermining effective partnership working
- Review of systems and process for future staff side involvement at an early stage in decision making
- Effective achievement of objectives via negotiation, consultation and communication

- Review of rules of engagement with staff side generally on issues
- Review of process for developing and agreeing HR policies
- Review of problems encountered during recent management restructuring process.

## **The Project**

CMP's mediator spoke by telephone with the key player on each side, heard their account, and established their expectations for the joint meeting. She sent an outline plan for the session to both of the key players who were asked to share it with all participants to the process.

The joint meeting was a group session with three members of management and nine staff side representatives.

The group as a whole listened to each others' issues, and engaged in initial exploration of them. Then the group was divided into subgroups to consider means of moving forward and proposing solutions. This approach proved extremely effective as it enabled all participants, even the quieter ones, to engage actively with the process.

## **Outcomes**

The mediation allowed the parties to engage in a frank exchange of views; it ensured they were listened to, and acknowledged their feelings and misunderstandings to ensure that the first steps were made to improving relationships amongst all participants. Specific, measurable and mutual agreements were reached to the issues between them. These were written up by the mediator and returned to the participants the next day. Feedback from the parties showed that even those who had been skeptical or negative when entering the session left saying it had been very worthwhile and constructive and that they should have done this type of mediation 'three months ago'.