

Workplace Mediation Practitioner

5 days + assessed coursework, residential *or* non-residential.

Overview

Effective mediation is a powerful means for resolving disputes between members of staff, embracing not just an immediate brokering of individuals' differences to allow each party to move forward, but enabling them to continue in productive working relationships over the longer-term.

Mediation requires deep skills of empathy, facilitation, listening and negotiation, amongst others. Additionally, mediators must be aware of the professional boundaries and sensitive contexts in which they operate, be aware of the responsibilities they carry and the pitfalls and challenges that they may encounter, and be equipped with the knowledge to approach mediation in an appropriate manner.

To support this need, this course aims to provide delegates with the knowledge, techniques and skill necessary to mediate a 'productive peace' between two parties who are in disagreement. Taught by the authors of *Managing Conflict at Work*, successful completion of this highly interactive programme qualifies delegates with the OCN/LR accredited *Workplace Mediation Practitioner* certificate (a pre-requisite for membership of several professional mediator associations).

Course content (key themes)

- Mediation principles and values
- Contexts for mediation, causes of conflict
- The process of mediation
- The mediator as a communicator
- Co-mediation
- Stakeholder positions, interests and needs
- A framework for approaching mediation
- Managing the mediation process
- Handling challenging behaviour and conversation
- Problem solving: theory and practice
- Mediation practice: techniques and applications
- Recognising and diffusing sensitivities and emotion
- Breaking impasse
- Self-management, self-development and resilience.

The course is highly interactive, involving a wide mix of demonstration, role-plays and syndicate exercises, including reference to a range of adapted real-life case studies.



Who should attend?

The course is aimed at anyone who intends to act as a mediator in an escalated workplace dispute. It is particularly suited to HR practitioners, coaches, facilitators, legal associates and experienced line managers.

Benefits for delegates

By attending the course, delegates will be able to:

- Appreciate the principles, boundaries and objectives of good mediation practice
- Know how to approach mediation and manage the mediation process
- Contract with individuals and convene mediation
- Apply a wide range of mediation techniques, strategies and tools, both for use in formal and informal settings
- Work with other mediators and third parties
- Manage personal resources to best effect
- Know when mediation should end and be able to bring each party to a satisfactory conclusion
- Build strong self and situational awareness and resilience.

The programme's intention is to ensure that delegates are fully proficient to act as workplace mediators by the end of the course.

Deliverables

- Delegate Notes (A4 format)
- Book: 'Managing Conflict at Work' (one copy per delegate)
- CD-ROM: Problem Solving Techniques, Mediation Templates
- Delegate Certificate (OCNLR accredited)
- Assessor Commentary
- Course Hand-outs.

Facilitators

The course is taught by highly experienced mediators and trainers, and has been developed in association with Jackie Keddy/Keddy Consultants, specialist providers of coaching consultancy and training. Jackie is co-author of *Managing Conflict at Work* and *Managing Coaching at Work* (both published by Kogan Page), was named 'Person of the Year' by readers of *Coaching at Work* magazine, awarded 'Outstanding Contribution to Business' by the Association for Coaching and led the UK's first public sector not-for-profit organisation to achieve the EMCC's European Quality Award.

Prerequisites for delegates

Some prior knowledge or experience of mediation will be an advantage, however the course will take complete newcomers from a 'blank page'. Similarly, training and experience using complementary skills such as coaching will provide a useful



foundation for practical exercises included in the programme, however isn't an essential requirement for participating.

Assessment requirements

The course involves candidate assessment, including a mix of written and observed role-play exercises. Alternative assessed activities are available for individuals who have particular needs that would otherwise disadvantage them from participation. The assessed tasks are designed to ensure a comprehensive grasp of the programme's subject matter and competency to practice as a mediator, not to demonstrate academic ability or writing proficiency.

Course syllabus

PART I - FOUNDATION

1: MEDIATION FOUNDATIONS

- Mediation values, ethics and boundaries
- Problem solving essentials - Outcomes & objectives, action planning, Solution Focus principles

2: THE MEDIATOR AS COMMUNICATOR (Part I)

- Levels of listening
- Question structures and their effects
- Reframing and summarising
- Mediation, facilitating and coaching
- Communicating between the words, language of the eyes
- Empathy, building trust

PART II - PRINCIPLES

3: DIAGNOSING CONFLICT - CAUSES, CONTEXTS AND CONSEQUENCES

- The nature of conflict: healthy and unhealthy conflict
- The anatomy of a dispute - escalators in a conflict life cycle, what happens before a dispute becomes formalised, mediation and grievance investigation
- The purpose of dispute resolution: what if a 'win:win' isn't possible?
- Options for resolving disputes
- Core principles of mediation



4: CONTEXTS FOR MEDIATION

- The seven forms of mediation
- The conundrum of mediation - false perceptions of its use, taking sides, positioning and reticence, overt and covert goals
- Stakeholder perspectives: positions, interests and needs
- Emotional and psychological change in mediation (LENS, TRIP)
- Recap: Principles of mediation, The mediator as communicator, Problem solving essentials

5: THE MEDIATOR AS COMMUNICATOR (Part II)

- Influence and transference
- Non-violent communication
- Avoidable barriers
- Powerful and clean language

6. MEETING 'FAIR'

- Introduction to 'FAIR' - a framework for approaching mediation, the process of mediation
- 'FAIR' - in detail

7: BEFORE MEDIATION

- Principles and good practice
- Mediation strategy and planning
- Building trust and assuring others of neutrality
- Confidentiality and its limits
- One-to-one and group mediation
- Isolating the causes of dispute and desired outcomes
- Consulting with individuals (pre-mediation)
- Mediation logistics – managing available time and breaks, environment

8: CONVENING

- Basis for engagement (is there a dispute?), understanding what needs to be resolved, isolating facts and feelings, why engagement is hard to achieve, selling the basis for engagement



- Stakeholder perspectives – identification, management, functions of the ‘inner circle’ and game-playing, relations to the organisation, stakeholder mapping, hidden agendas and hidden drivers
- Contracting, ground rules and roles, criteria for closing out mediation
- Opening mediation
- Structuring a mediation dialogue

9. FURTHER SKILLS FOR MEDIATION

- Personal style/communication
- Interventions relevant for the stage mediation has reached
- Negotiation - meaning, principles, fallacies, closing out mediation

10. COMMON CHALLENGES - AND HOW TO HANDLE THEM (Part I)

- Common scenarios for workplace mediation
- Contexts for using problem solving techniques
- Introduction to and micro-tools – problem solving methods, micro-tools, strategies, red flags
- Responding to new information
- Managing issues which are not black or white

PART III - PRACTICE

11. MEDIATION IN PRACTICE

- Managing the mediation process
- Co-mediation, working with coaches and other peace-brokers
- Emotional expression
- Managing lobbyists and third parties
- Knowing when to stop, closing-out mediation, achieving an agreed and enduring resolution
- After mediation, what if mediation does not deliver an agreement?

12. CO-MEDIATION

- The purpose and process of co-mediation
- Working with a co-mediator
- Working with coaches and other peace-brokers



13. MEETING 'RESOLVE'

- Introduction to 'RESOLVE' - a model for remaining emotionally intelligent through mediation
- 'RESOLVE'- in detail

14. COMMON CHALLENGES - AND HOW TO HANDLE THEM (Part II)

- Handling heavy landings
- Managing difficult and manipulative people
- Deviations
- Removing log-jams
- Dealing with irreconcilable differences
- Dialogue break-down and impasse
- Problem solving - bridging gaps, handling tough conversations
- Handling backsliding

15. DEVELOPING MEDIATION PRACTICE

- Self-management and self-care for mediators
- Building resilience - techniques for mediators and individuals who are in dispute
- Emotional intelligence/self-awareness – implicit association, systemising/empathising
- Recognising personal boundaries and mediation boundaries
- Signature presence
- Reflective practice, using action learning sets, Mediation Circles, 'Right Here' approach.

