



PRIFYSGOL
BANGOR
UNIVERSITY

Mediation Policy

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1.	September 2015	Review of Policy	September 2018
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Policy Officer	Senior Responsible Officer	Approved By	Date
Chief People Officer	Deputy Chief People Officer	HRTG	2012

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1. Introduction

- 1.1 The University accepts that conflict at work can cause much stress and the University wishes to support staff to work together to resolve disputes and conflicts and recognises that encouraging good working relationships between individuals will have a positive impact on staff wellbeing and performance.
- 1.2 Mediation is a voluntary, confidential and informal process where an independent person – the mediator, works with participants to resolve disputes and conflicts in the workplace and help them find their own solutions and reach an agreement that will improve their situation. It is an option prior to engaging formal procedures. Parties participating in mediation retain the right to pursue formal grievance, complaint or other procedures should they wish, without prejudice. The University encourages parties to attempt informal resolution in the spirit of fostering respectful working relationships.

2. Principles

- 2.1 **Voluntary** – the process is completely voluntary and mediation does not need referral from a line manager.
- 2.2 **Impartial** - Mediators are impartial to the conflict and seek to help the parties equally. Mediators do not express opinions or make judgements about who is right or wrong.
- 2.3 **Confidential** – the process is confidential and all discussions during the mediation process must not be disclosed by either parties or the mediator outside the meeting except with the explicit permission of both parties.
- 2.4 **Equitable** – the process will be conducted in the spirit of the University's commitment to equality. Throughout the process participants will be treated fairly and with dignity and respect. The mediation process can be held through the medium of Welsh or English. Any reasonable adjustments would also be accepted.

3. THE MEDIATION PROCESS

Initial Stages

- 3.1 Any request for mediation should normally be directed to the Mediation Coordinator (Deputy Chief People Officer). Initial enquiries should also be made to the Mediation Coordinator.
- 3.2 The service can be accessed in various ways, for example by an individual member of staff, a line manager, a representative from HR, or a Trade Union

representative.

- 3.3 The Mediation Coordinator will arrange separate introductory meetings with the individuals seeking mediation as soon as possible. The purpose of these initial meetings is to explore and assess if mediation is appropriate. The Mediation Co-ordinator will also aim to build trust and gain commitment to the mediation process.
- 3.4 There may be circumstances where mediation may not be recommended.

For example:

- where the issues relate to the University's statutory obligations or duty of care;
- where there is a risk to safety / wellbeing; or
- where formal action has been instigated (e.g. disciplinary proceedings for gross misconduct or in the case of alleged criminal activity).

- 3.5 If mediation is considered appropriate, all individuals must voluntarily agree to be involved. All parties will be informed of their right to withdraw from the process at any time.
- 3.6 The mediation process is confidential on all sides. The only exception to the rule of confidentiality is where there is a potential unlawful act or where there is evidence of serious risk to health and safety.
- 3.7 Should individuals have any concerns about the impartiality of the mediator(s) chosen, this should be raised with the Mediation Coordinator as early as possible.
- 3.8 The outcome is not binding but if both parties have agreed to participate it is expected that there is a commitment to reaching an agreement.

4. During Mediation

- 4.1 During the meeting(s) the mediator(s) will:
 - explain the mediation process to both parties.
 - help both parties to clarify the issues that need to be addressed
 - assist the individuals to identify possible solutions.

The participants will:

- have a chance to speak openly, without interruptions, about the areas of concern.
- be encouraged to be open and honest.
- express their feelings clearly to one another.

- 4.2 Any notes taken (including those taken by the parties) during the mediation process will be destroyed at the end of mediation with the exception of the written agreements between the parties.

Adjournments can be requested at any point during the process.

5. The mediation agreement

- 5.1 If a mutual agreement is reached in full or in part, the mediator(s) will record the details in writing and the parties will sign the agreement.
- 5.2 If an agreement is not reached, staff may still use relevant informal and formal procedures (e.g. University's grievance procedure) but the mediator(s) cannot be called to participate in any other process.

6 Management of the Mediation Service

- 6.1 The service will be managed by the Mediation Co-ordinator (normally the Deputy Chief People Officer) who will be responsible for the effective management of the process.

7 Link to other University's Policies and Processes

- 7.1 The mediation process is expected to be used as an informal resolution process and will not be used as a formal first stage in the University's grievance, disciplinary or Dignity at Work procedures. As is noted within section 4 of the University's Grievance Policy:

Mediation is a support measure which can be effective in rebuilding working relationships and it is most effective when utilised as early as possible. Mediation is likely to be most appropriate in cases involving interpersonal relationships.

Mediation is voluntary and will take place only if all parties agree. It is, however, hoped that employees will recognise the benefits of seeking to resolve issues via mediation and will be amenable to and cooperate with this approach.

8 Equality Impact Assessment

- 8.1 This policy has been Equality Impact Assessed based on consultation and information available at the time of the policy being developed. It is recommended that an equality review of the policy takes place, and thereafter on a three yearly basis. This should include consideration of any data (qualitative and quantitative) that could identify any equality related issues that have arisen and require consideration.

9. Policy Review

9.1 This Policy and Procedure will be reviewed at regular intervals of not less than three years and will at all times be read and applied subject to the general law. The review will be undertaken in liaison with the recognised trade unions and any proposed amendments submitted to the relevant group / committee for approval.