

THE MEDIATION POCKETBOOK

By R. Boardman & A. Macnaughton

Drawings by Phil Hailstone

"Provides invaluable guidance on why workplace conflicts arise and how to deal with them. It won't make you an expert mediator, but will give you the confidence to try (and quite possibly succeed)."

Professor John Blenkinsopp, Hull University Business School

"An excellent read packed full of great tools, techniques and examples to help anyone navigate the often difficult waters of mediation."

Sharon Kelly, Customer Service & Operations Director, DB Regio Tyne & Wear Ltd

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CONFLICT: WHAT DRIVES & SUSTAINS THE BEHAVIOURS



THE NATURE OF CONFLICT

Not all conflict is bad or problematic. Jehn and Chatman's research published in 2000 found that groups actually perform better when certain types of conflict are present. They observed that disagreement and disputes about specific tasks and activities and how best to do them – what they referred to as Task Conflict – were beneficial.

However, conflict about duties, roles, responsibilities, resources and/ or resource allocation (Process Conflict), or at an interpersonal or social level (Relationship Conflict) is rarely productive and helpful.

The implication for managers is to understand the nature of the conflict rather than just removing or avoiding it, as disagreements can be highly creative as long as there are no deeper issues at play.

CONFLICT: WHAT DRIVES & SUSTAINS THE BEHAVIOURS



THE NATURE OF CONFLICT

Jehn and Chatman saw these three conflict types existing in tiers, with Task Conflict the top tier and Relationship Conflict at the bottom. In any dispute, the lowest tier of conflict will be the real driver.

In other words, two people may disagree about an immediate task at hand and in certain circumstances this would be creative and constructive. However, if one party fundamentally disagrees with the overall approach being taken (Process Conflict) or has personal issues with the other party (Relationship Conflict) then the deeper tier will be the real driving force and any creative benefits of the disagreements over the Task will be blunted or lost altogether.

CONFLICT: WHAT DRIVES & SUSTAINS THE BEHAVIOURS



THE NATURE OF CONFLICT

In practice all three levels of conflict can exist together. For anyone trying to resolve this conflict, the process needs to be to understand the disagreement at all levels, and then to address the lowest level first. There is little benefit in tackling Task Conflict if there is also Relationship Conflict as this will only serve to mask the real driving force which is likely to find an outlet on another day.



CONFLICT: WHAT DRIVES & SUSTAINS THE BEHAVIOURS



WHAT THIS MEANS FOR MEDIATORS

When you first start to explore the relationship between the parties in conflict, and look for specific evidence and examples, it is quite usual to start to talk about things that sound very much like Task Conflict. After all, it's likely that the final straw occurred during the completion of some task or activity.

If a relationship has become so dysfunctional or toxic that a mediated intervention is required, then what you're dealing with will not, at its root, be Task Conflict. When mediating, part of your role is to challenge and dig to unearth the causal factors and then to facilitate collaborative problem solving around these root causes.

You may pick off some low hanging fruit early in the process to give the participants some confidence that things can be different (see The Mediator's Toolkit in a later chapter). This is a means to an end, however, not the end in itself, as it is only by addressing the root causes that you will prevent conflict from bubbling back up and reoccurring.

CONFLICT: WHAT DRIVES & SUSTAINS THE BEHAVIOURS



STAGES OF CONFLICT

When mediating it can also help to remember that there will be a whole history leading up to the conflict that you are exploring. The CIPD's Stages of Conflict model that follows illustrates that it is only when we get to Deadlock that the situation is serious enough to warrant a structured mediated intervention.

If both parties have already accepted that there is a problem to be solved, then you can count yourself lucky, even if there is still a fair amount of work to do to build consensus. More often in the initial stages the first task is to help the parties recognise the true extent of the problem and that it is worthwhile trying to resolve it.



CONFLICT: WHAT DRIVES & SUSTAINS THE BEHAVIOURS



STAGES OF CONFLICT MODEL

Stage of conflict	Behaviours or signs
Beginning	Incompatible goals Open or covert conflict Avoidance of conflict Tension starts to be noticed
Early growth	Confrontation Polarisation of positions Seeking allies More overt signs of conflict
Deadlock	Conflict at its peak Blame apportioned Communications cease between parties Entrenched positions
Looking for a way out	An acceptance that the problem needs sorting out
Working together for a solution	Collaboration Consensus

CONFLICT: WHAT DRIVES & SUSTAINS THE BEHAVIOURS



PERMANENT BEHAVIOURAL CHANGE

If people's behaviour, actions and reactions are aligned with their values and beliefs, and the way the world is or should be according to them, and as a consequence they believe that what they are doing is right, appropriate and likely to be the best way of getting a desired outcome, then getting them to behave differently presents a mediator with a real challenge.

Whilst you are invariably attempting to get people to think differently in mediation (ie changing interpretation and perception) ultimately it's the behaviours that need to change.

Understanding what will motivate the participants to change their behaviours therefore becomes important. We are not going to explore the vast wealth of ideas and associated texts on human motivation here; however, for the mediator it can be helpful to think in terms of fundamental fight or flight instincts. If the participants are to change behaviour, there either needs to be some upside or benefit that's worthwhile changing (*or fighting*) for, or there need to be negative consequences for not changing that have sufficient traction to move people on (*flight*).

CONFLICT: WHAT DRIVES & SUSTAINS THE BEHAVIOURS

PERMANENT BEHAVIOURAL CHANGE



Helping to achieve sustainable behavioural change going forward, and therefore to ensure the conflict between the parties is truly resolved, means the mediator has to help the participants recognise and realise both the upside associated with achieving resolution and the potential negative consequences of failing to do so.

About the Authors

Richard Boardman, BA, PostGradDip, FCIPD

With over 25 years in HR, OD and training, Richard now specialises in 'the tough stuff you're expected to do once you've been a manager for a bit'... like conflict resolution and mediation! Having acted as a mediator as part of internal HR roles and more recently as an external specialist, Richard has now developed a series of training programmes to develop mediation skills both for those looking to act as formal mediators and for line managers who just want some conflict resolution tools in their toolkit. The content of this book is based on those programmes.



Audrey Macnaughton, MSc, FCIPD

Having cut her teeth in operational management roles before moving into learning and development and eventually setting up her own business, Audrey's approach to training has always been 'it's got to make an impact that's tangible, sustainable and worth the effort!'. Developing people so they can actively engage with and resolve conflict is therefore very much aligned with this philosophy and Audrey has worked with Richard to ensure a range of organisations have this 'mediation capability'.



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