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Mediate 2015 A Great Success

Delegates attending Mediate 2015 in December at Queen Margaret University were treated to a wide range of keynotes and workshops that certainly seemed to hit the mark. Over 150 delegates attended from across all age-groups and we were delighted to welcome Peer mediators from across Scottish schools to join the conference.

Opening the conference Marco Biagi MSP Minister for Local Government and Community **Empowerment stated that "Mediation and the values of mediation are at the heart of what we want to see in society and government in Scotland."**

We heard from Tamara Relis that "Lawyers are from Mars and that clients are from Venus."

The delegates were given a lot to think about from Liz Stokoe whose research shows that many of the ways in which mediators and mediation organisations talk about mediation can put off potential users. She did, however tell us that we can communicate better and turn that interest into more positive outcomes.

On the second day of the conference delegates learned about different mediation styles from Kenneth Kressel and discussed how the style **we think we are using isn't always what we're** actually doing. Ellen Waldman looked at the ethics of mediation and Kenneth Hogg gave a management of government perspective about the need to embrace mediation more widely.

Mediation Skills – Not Just for Mediators

Linda Paterson

I've heard it said recently that there are too many training courses in mediation in comparison with the demand for mediators. While it is certainly true that making a full-time living as a mediator can be a challenge, viewing mediation training as only being useful to prospective mediators is taking a very narrow view. The ability to deal effectively with the conflict in our own lives, and even to assist others to deal more constructively with theirs, is a life-skill which should not be under-estimated.

Research consistently shows that relationships are the leading source of happiness for human beings – and, conversely, the leading source of unhappiness when they go wrong. This can range from close personal relationships, to working relationships with colleagues and relationships with neighbours and people in our community. When we are locked in conflict with any of these people it can result in stress and untold misery, with the resulting negative impact on our mental, and sometimes physical, health. **Wouldn't it be great if we all had the** knowledge, confidence and skills to resolve our own conflicts?

As a mediation trainer I've lost count of the number of times delegates have said **that they've put their recently acquired** mediation techniques into practice to positive effect in all areas of their lives. Most undertake training in their professional capacity, it is true, often with a view to acting as an internal mediator for their organisation. But almost everyone reaps the benefits of these techniques in other aspects of their lives as well. At a recent CPD session for a team of internal mediators a delegate with many years of work

experience in planning described his experience of going through mediation **training as being "life-changing"**. As a result of what he learned he is now able to diffuse highly charged situations rather than becoming locked in an escalating tit for tat conflict. Consequently, his job is **far less stressful and "far easier on his mental health"**.



Another delegate described using mediation techniques with her two young children – as well as this helping to ease her own stress levels, it is also beneficial and educational for the children, encouraging them to take responsibility for their own conflicts and supplying them with the tools and confidence to resolve them.

In my own life I made use of mediation techniques to good effect when confronted with an irate neighbour whose new car I had accidentally bumped into when parking outside my house. This averted what could have been a very stressful and embarrassing scene!

That's why I maintain that Mediation Skills are for Life, not just for Mediators..... and they came in very handy at Christmas-time as well!

Network News

The Network is delighted to be appearing at the Gathering in February this year.

With over 60 free events, seminars and workshops, and a bustling exhibitor marketplace [the Gathering](#) is the hottest date in the third sector calendar.

Whether you're after practical support or the latest insights, there are many opportunities to listen, learn and be heard on a wide range of issues.

[View the full programme.](#)

In addition to having a stall to promote the Third Sector Mediation Scheme we will be running a seminar from 11.30am –12.30pm on Thursday 17th February.

Our seminar is entitled "Don't let things get out of hand" and will show how in a wide range of situations mediation can help.

The seminar will involve a role play covering a typical scenario followed by a question and answer session about both mediation and the third sector scheme.



The session will also cover how to access mediation and the range of different scenarios where mediation can have a positive role to play in Third Sector organisations.



THE MEDIATION PARTNERSHIP



SMR Accredited Mediator Training Course

First Course in Scotland to be accredited by the Scottish Mediation Register

Dates: Thurs 12th & Fri 13th, Weds 25th & Thurs 26th May 2016 + Optional Assessment

This intensive four day course is suitable for mediators, lawyers, managers, HR personnel and anyone with an interest in gaining or enhancing mediation skills. It will provide delegates with a clear theoretical and practical training course, in line with the Scottish Mediation Network (SMN) *Guidance on Mediator Competency.*

"Best training event I have ever been to. Excellent guidance. Great fun." Delegate from the University of Aberdeen

"Previous training felt like learning the highway code and having a 'go' in a simulator, whereas with Linda and Aileen it was like getting to drive the car with two very able and encouraging instructors on board to make it a safe and enjoyable experience." Lili Hunter, Lili Hunter Consulting Ltd

To book a place, or find out more information, contact Aileen Riddell on 07950 395276 or e-mail enquiries@mediationpartnership.co.uk www.mediationpartnership.co.uk

Sustainable Workplace Mediation— how to consolidate the results of a good mediation

Rachel Weiss

As mediators we facilitate change. One of the oldest and simplest models of change was created by my great-uncle Kurt Lewin.

Lewin (1947) said change consists of 3 stages: Unfreeze, Move and Refreeze. I prefer the more modern terms for the same three stages: Prepare, Change and Consolidate.



Fig 1: Kurt Lewin (1890-1947)

As a workplace mediator, I am invited into organisations to help colleagues improve their working relationship. I meet the partici-

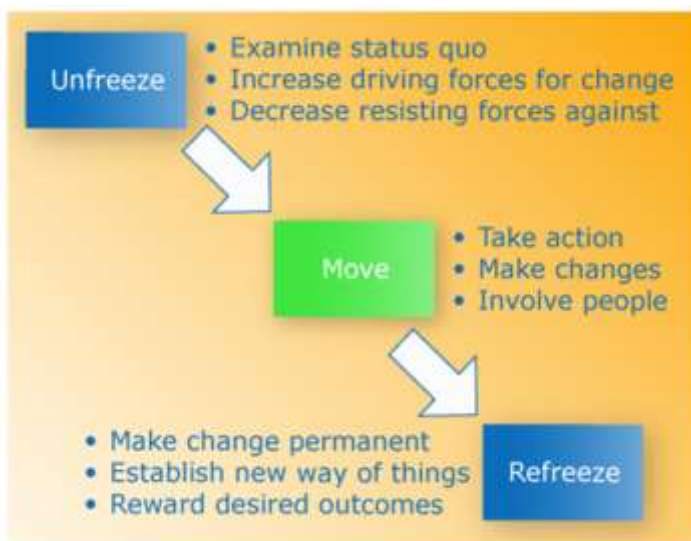


Fig 2: Lewin's change model adapted from <http://www.alchemyformanagers.co.uk/topics/>

pants individually (Prepare) and then facilitate a joint meeting where they come up with behavioural changes to improve their working relationship (Change). These changes are the visible tip of the iceberg, underneath are the changed assumptions, judgements and mind-sets which each party holds. Then they implement their agreement and I return for a brief follow-up meeting, usually about six weeks later (Consolidate).

Over years of practice I have become increasingly interested in the Consolidation phase. How can we ensure that the goodwill and good resolutions generated in the joint **mediation meeting are built on? It's human nature to revert to old habits, especially when under stress.** How can we help participants maintain their new behaviours and

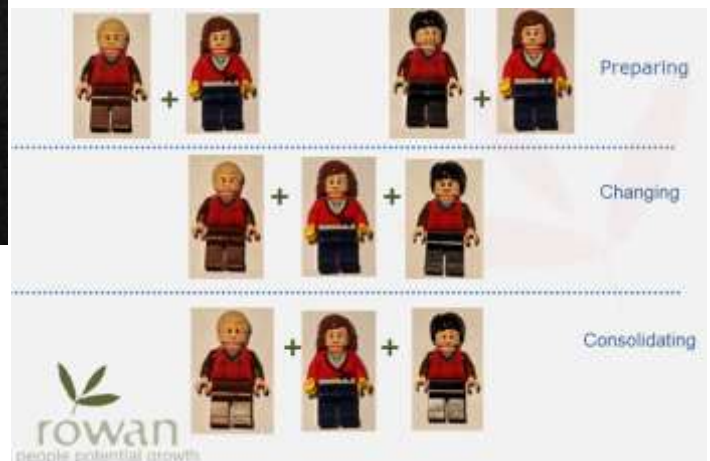


Fig 3: standard model for mediation

mind-sets once they are out of the safe, protected space created by the mediator, and back into the hurly-burly of everyday workplace life?

I have developed a more systemic approach to workplace mediation, involving the Organisational Sponsor (usually HR or OD) and an internal Mediation Champion at all 3 stages **of the change process. Here I'll outline the Consolidation phase.**

Two ways to support the improved working relationship after the meeting with the mediator are:

1. The participants can be supported to maintain their behaviour and mind-set changes through individual coaching, organised by the Organisation Sponsor.
2. The participants meet jointly with an internal mediation champion, who supports them in maintaining their behaviour and mind-set changes. This champion needs

Sustainable Workplace Mediation– how to consolidate the the results of a good mediation cont'd

Rachel Weiss

to have excellent people skills, and ideally have attended some mediation skills training. I often provide coaching for the mediation champion to support them in this role. At the follow-up meeting, the mediation champion joins the mediator and the participants, together with the Organisational Sponsor to review progress and plan ahead.

Advantages of using an internal mediation champion

- * Upskills the mediation champion and builds internal capacity for conflict resolution.
- * Provides additional support for the participants in dialoguing with one another, expressing their needs and listening to the other person's needs and problem-solving.
- * Provides accessible support for the participants in future. In one case the participants decided to meet with their mediation champion every 3 months to review progress.



Fig 4: Consolidation or Refreeze stage of the change process

Disadvantages of using an internal mediation champion

- * Confidentiality is widened to include the mediation champion. Some participants

prefer not to share their "business" with anyone inside the organisation, so they opt not to use an internal mediator champion. Instead they prefer to have several follow-up meetings with the external mediator.

* **Takes up the mediation champion's** time.

* The mediation champion may not be sufficiently skilled and resourced for the conflict behaviour or the participants. In one case a participant started shouting and being **aggressive; the mediation champion didn't** have the skills to contain this.

Variations

If you are an internal mediator, you can be the mediation champion too, by meeting regularly with the participants to review progress ie having several follow-up meetings until they feel confident to manage the relationship themselves.

I am interested to hear how both external and internal workplace mediators support the Consolidating stage of change. Most mediation training focusses on the first two phases, Preparing and Changing, which are sometimes sufficient. But we know that behaviour change requires ongoing practice and reinforcement, so for a good return on investment Consolidation is vital.

Reference

Lewin, Kurt. "Group decision and social change" Readings in social psychology 3 (1947): 197-211.

[Rachel is a coach, counsellor and Scottish Registered Mediator specialising in workplace mediation. She is a partner at www.rowan-consultancy.co.uk.](#)

[Rowan Consultancy run 2-day courses on Mediation Skills to upskill HR and managers, see www.rowan-consultancy.co.uk for details.](#)



The University of Strathclyde Law School's Postgraduate programme in Mediation and Conflict Resolution, now entering its sixth year, provides a thorough, practical and exciting introduction to this developing area. Still the only course of its kind in the UK, the programme is rigorous and multi-disciplinary, exposing students to a wide range of approaches as well as being taught by experts from across the UK.

The course combines theoretical and practical elements and has been accredited by the Scottish Mediation Network. Participants will enhance their confidence in dealing with interpersonal and organisational conflict while developing their communication and problem-solving skills. As well as core classes on mediation theory and practice, there are classes on employment mediation, mediation law and policy, arbitration, transitional justice the key business skill of negotiation. Students may also elect classes from the whole range of postgraduate programmes such as Human Rights, Construction Law and International Economic Law.

Students can gain practical experience by volunteering with our [Mediation Clinic](#), which provides a weekly small claims service at Glasgow Sheriff Court. Student mediators work alongside experienced practitioners to develop their mediation skills in a real-world setting.

Start Date: September each year

Mode of Study: Full-Time or Part-Time

Course will be taught by a combination of evening lectures and intensive weekend sessions to maximise flexibility.

Application and further information can be obtained from:

<http://www.strath.ac.uk/humanities/courses/law/courses/mediation/>

Contact:

Pauline McKay (Administrator) E: pauline.mckay@strath.ac.uk

Charlie Irvine (Course Leader) E: charlie.irvine@strath.ac.uk



Network News

Verification Process Coming Soon

On 1st April 2016 the Network will select the 10% of the mediators on the Scottish Mediation Register whom will be assessed to verify their status as Registered Mediators this year.

The Practice Standards for Mediators in Scotland state: -

All registered mediators are required to maintain a portfolio containing

- Their initial training certificate or a letter of confirmation of basic mediator training
- A log of mediations/ mediation hours undertaken
- A log of CPD hours
- A Certificate of Insurance
- A Training and Development Plan

In order to make the process as smooth as possible it is suggested that Mediators use the following templates to ensure that the information is easily available if selected.

[Sample CPD log](#)

[Sample Mediation Log](#)

[Sample Training and Development Plan](#)



better conversations
better outcomes

Flagship Mediation Course Dates 2016

Spring School:*

Using Mediation Skills as a Professional

25 - 27 April 2016

Residential Summer School:*

Using Mediation Skills as a Leader

28 - 31 August 2016

Module 2:

Building Mediator Competence

Spring: 26 - 27 May 2016

Autumn: 27 - 28 October 2016

Module 3:

Assessment

Spring: 2 - 3 June 2016

Autumn: 3 - 4 November 2016

* Note that the Spring School and the Summer School are available as free standing three day courses. They are also a prerequisite, as Module 1, for attending Modules 2 and 3.

Board Profile—Catriona Tulloch

What is your day job?

I currently work as a Community Planning Officer with Aberdeenshire Council. I oversee the Community Planning process and work alongside both statutory and Community Partners in the delivery and coordination of local public services. I offer support and expertise to groups from various sectors, seeking to influence the planning and delivery of public services in addition to supporting community groups in determining their own local priorities and helping **to make them a reality. I'm also involved in various projects connected to the role and function of democracy; what it means and how it can be strengthened.**

What motivates you to get up on a Monday morning?



I like to have time by myself before **the day starts, so I'm usually up and about early. Of course, it's helpful if you have a job you enjoy – which I do. I'm a huge radio fan so like to listen to the early morning political commentary with my coffee.**

How long have you been a Trustee, and why did you become involved?

I became a Trustee in September and was motivated by a number of

factors. Based on my experience within the International and Community development fields, I started to observe the need for both mediation and the expansion of mediation skills within these sectors. I started making these linkages within my professional practice and subsequently undertook mediation training. My interest has been further strengthened since joining the Board and I feel enthused as we begin the New Year. Additionally, I also have an interest in the role of spirituality in mediation practice and conflict resolution.

Did you have any prior knowledge of or involvement with the Network before?

Yes, I knew a bit about the Network and had certainly followed its progress from a distance.

What have been the highlights of your involvement with the Network?

As I'm still very new to the role I think my highlights are yet to come. However, it's already proving to be very insightful and I'm amazed and encouraged by the inspiring mediation activity taking place throughout Scotland, across various sectors.

What do you see as the main issues that the Board has to address at present?

We live in interesting times. A changing Community landscape exists in Scotland in light of the recent Community Empowerment (Scotland) Act and the Land Reform (Scotland) Bill. The need to create inclusive, healthy and pro-active partnerships has never been greater and this presents both opportunities and challenges. I think the use of mediation and the role the Network can play in addressing these has great potential. Perhaps the definition of

Board Profile and Network News

what is commonly referred to as 'Community Mediation' requires examination as changing democratic relationships adapt and emerge in Scotland. I also think being able to effectively demonstrate the impact mediation can have is very important – in social, economic and environmental terms.

If you could change only one thing for mediators, what would it be?

That you don't need to be a solicitor to become involved in mediation. I was originally put off by the fact that I'm not one! People from all walks of life can add value to the mediation landscape and with the correct training and professional development, can often find themselves surprised by their own skills and potential.

What keeps you busy outside of work?

I enjoy travelling when time allows – there is usually an assortment of travel guides by my bed at any given time. Other than that, hill-walking in summer and time spent with friends and family.

SMN CPD Dates 2016

The Network are delighted to announce that our CPD dates for the coming year will be as follows.

Spring CPD

- Edinburgh 15th March
- Glasgow 24th march
- Aberdeen 30th March

Autumn CPD

- Edinburgh 4th October
- Glasgow 5th October
- Aberdeen 13th October

The topics for 2016 are currently being considered, a huge thanks to those who attended Online Mediation CPDs. We are likely to produce guidance notes for mediators to help their practice in this area.

Five-Day Mediation Skills Course 3,4,10,11+18 March 2016, Glasgow



Designed for people who will be using mediation skills in their work, this course is accredited by the Scottish Credit and Qualifications Framework together with the Scottish Community Mediation Network. The course provides information on key concepts in mediation and the opportunity to discuss and practice basic skills in a safe, relaxed atmosphere. It covers the whole mediation process from first contact with the service to closing a case. The mediator's role is explained and practised using typical scenarios for first visits to explore mediation as an option, preparing clients for joint meetings and handling difficult behaviour at a meeting. The course is assessed based on activities from day three onwards culminating in a full role-play of a mediation meeting on day five.

To book a place or for more information please contact: Robert Lambden at Scottish Community Mediation Centre: Tel 0131 624 5400 or e-mail info@scmc@sacro.org.uk Course Fee is £600 per participant

Workplace Employment Initiative Group

January 2016

Dear SMN colleague

At our last meeting we were delighted to welcome an excellent contribution from Matt Vickers who presented on the role of mediation in complaints processes.

The next meeting of the SMN WEIG will take place on Thursday 24 March 2016. All meetings are kindly hosted at the SMN offices at 18 York Place, Edinburgh. As usual, the main meeting will run 2-4pm, and count as part of our CPD. The CPD-extra one-hour session will run from 12.45pm.

This time we will be hearing from Carolyn Hirst, who lectures at Queen Margaret University in the Centre for Innovation in Consumer Dispute Resolution and is also a consultant and mediator. Carolyn is a former Trustee of the SMN, and was previously Deputy at the Scottish Public Services Ombudsman. Her session will focus on the ingredients of an effective apology.

The CPD-extra session is to be confirmed.

As usual, all members of SMN are welcome to attend but please let me or the office know if you will be joining the meetings, as tea/coffee will only be ordered for those who have confirmed!

Looking forward to meeting up,
Slainte

Linn

Linn Phipps, Chair, SMN WEIG, 07917 564440