

In this edition of Collaborate Page

Mediate 2016 1

Booking open for the must attend conference for anyone interested in mediation.

Back to School for mediating Ways 2

Robin Burley reflects on mediation after attending the Young Talk conference in Dundee

Wow What a Conference 4

Graham Boyack reports on the Peer Mediation conference at the University of Dundee.

Athletics and Mediation 6

Some observations from John Sturrock

Networks news 8

A report on the Scottish Mediation AGM and the new members of the Board

Network Training and Events 10

Events coming up soon.

Workplace Employment Initiative group 11

Details of next meeting

Adverts from
University of Strathclyde, Queen Margaret University, Mediation Partnership and Core Solutions.



Mediate 2016 Bookings Open

Scottish Mediation has launched initial details of Mediate 2016. The conference is taking place at the Gillies Centre in Edinburgh on 2nd December and is a must attend for anyone interested in mediation in Scotland.

The conference will create the space to enable learning from each other and be a showcase for mediation.



EDINBURGH | 2 DECEMBER

Aled Davies, founder of Mediator Academy will present: Insights from Remarkable Mediators - After 100's of hours of interviewing some of the sharpest mediation minds on the planet. Sabine Walsh President of the Mediation Institute of Ireland will speak on Standards for Mediators.

For further details please about costs and bookings please click [here](#) .

Back to School for Mediating Ways

Robin Burley

Last month I attended a conference where my silver hair was decidedly out of place. It was one of the most inspiring experiences for me in the thirteen years since I was introduced to the skills of mediation. The conference was in Dundee and it was a gathering of a hundred peer mediators from schools across Scotland arranged by Young Talk, Scottish Mediation's initiative to build a network of schools which promotes the use of mediation amongst their students.

Having owned up to silver hair I might as well also own up to close to three score years and ten for reflections. Would I change anything? Not much. I had an enviable career working in the housing association movement through two revolutions: one in social housing and the other in the way we support older and disabled people in their own homes rather than institutional care. But one thing I would do if I could take a time machine back forty years is to take a mediation skills training course. The reason for wishing to do this early on in life is not that I would have wished to work as a mediator then but to be able to apply the skills of mediating in everyday situations.

So often in our daily activities, whether at work or at home, we set one set of ideas against another. We then put them (ideas and people) to the test of which, or more often 'who', is right. Win-lose is the name of most of the games of life! Mediation shows us there is a better way, not by asking who is right but by using our skills of listening and questioning to learn more and understand more so we can reframe the dilemma from all the parts of our new understanding and create a fresh, and often creative, way forward.

I now know that if I could have my career in housing and community care again there are many situations when I might have used a mediating way to advantage.

It is not just the big challenges at work that would have benefitted from a mediating mind-set but all the small contacts about seemingly inconsequential issues. A work culture underpinned by mediating ways is not about making it a place of un-critical harmony. It is about putting difference, diversity and yes, even conflict to work more effectively and more creatively, where it can flourish constructively and not destructively.



So why was I so inspired by a conference about school students becoming peer mediators? I have been thinking for some time that we should be promoting a culture of mediating ways in our workplaces and particularly in developing the leaders of tomorrow. But this is far too unambitious; what the peer mediation conference demonstrated was that the place to introduce the culture of mediating ways is in our schools. In the words of one peer mediator she now *"sees how other people think, their way and their perspective, what one person says and what another person says, and that not everyone thinks the same as you, and everyone's different."*

Robin is a mediator and business coach. He has chaired Scottish Mediation, the umbrella body for mediation in Scotland, since 2012. Robin first trained in mediation with Core Solutions in 2003 and in 2013 completed a Masters degree in Mediation and Conflict Resolution at the University of Strathclyde.





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

T: 0141 548 5998



The University of Strathclyde is a charitable body, registered in Scotland, number SC015263

Wow What a Conference

Graham Boyack

At the start of September, a remarkable gathering took place in Dundee bringing over 100 young people, teachers and mediators together. Young Talk a network for Peer Mediators in Scotland held a conference to celebrate the success of mediation in schools, to share experiences and to learn from the work that is taking place.

Young Talk exists to promote and support peer mediation as a preventative and restorative conflict resolution practice in schools and youth organisations in Scotland. The network was established in 2015 and is in the second year of support from the Big Lottery and is supported by schools across Scotland. A key reason for having the conference was to draw attention to peer mediation. Work has been taking place with many stakeholders including the Scottish Government to see how peer mediation can be an integral part of the curriculum in schools. Its potential to give young people conversation, listening and questioning skills and to be a positive intervention against bullying and harassment would be an investment in the future. To that end Young Talk were delighted to have Tam Baillie the Children's Commissioner for Scotland open the conference.



What is difficult to get across in an article like this is the enthusiasm, engagement and depth of participation shown, particularly by the school students. The session where we skyped a high school in Maryland really brought home to me the power of connecting people who are doing similar things in countries across the world.

The conference agenda itself showed some of

the diversity of the issues being considered by Young Talk and also the collaborative nature of the work that is being undertaken. We had a mediation magician Nick Patel present to the conference. Nick's key theme was that things are not always what they seem and that the skills of listening and asking open questions are very important in identifying the situation people are in.

During the conference there were workshops on empowering conversations using mediation skills, cooperative and competitive approaches to conflict resolution and critically in terms of the future sharing mediation experiences between schools. Integral to the approach was bringing mediators from a range of disciplines to join the peer mediators. Through this form of collaboration, it is anticipated that the learning will be in all directions.



Thomas Bradley from Fintry Primary School receiving his Young Mediator award from Carol Hope, who subsequently received one recognising her contribution to Peer Mediation too.

The conference also provided an opportunity to recognise the work of trainers, school students and teachers involved in peer mediation. Thomas, shown above was nominated by his teacher because he 'was a painfully quiet boy who struggled to communicate with his peers.' As a result of the mediator training 'He's not only helped others but now plays games with the younger ones.' He says 'I'm helping to prevent sadness amongst others by showing them how to play together'

That the University is hosted the conference supports one of the key themes of ensuring

Wow What a Conference cont'd

the sustainability of peer mediation in schools. With the many issues that schools face it can sometimes be difficult to find space for peer mediation and to retain the wonderful staff who support the schemes in



Delegates busy in the main hall.

individual schools. In order to help schools, the idea of building clusters of mediation involving both primary and secondary schools

and linking them to mediators and mediation organisations in the local community has been developed. In Dundee the University and its mediators have supported this work and helped to make strong links with the schools. There's an added benefit in this work around access to education which could be very powerful.

Amongst the range of reasons for attending the conference, one I overheard was great and is below.

"I'm so glad to be here, I had double French this morning"

Since the conference our concentration has been on securing future funding to further develop peer mediation in Scotland. Much of the case for funding was evident at the conference. Our job will be to articulate the outcomes of the work on peer mediation in a way which is irresistible both to funders and to government. There will be many positive outcomes for us to talk about and the conference identified even more.



Using Mediation Skills Core's 2017 Flagship Courses

Core's Spring School*: Using Mediation Skills as a Professional
27-29 March 2017 (CPD: 24hrs +)

Core's Residential Summer School*: Using Mediation Skills as a Leader
3-6 September 2017 (CPD: 24hrs +)

Module 2: Building Mediator Competence
Spring: 4-5 May 2017
Autumn: 5-6 October 2017
(CPD: 16hrs +)

Module 3: Assessment
Spring: 24-26 May 2017
Autumn: 1-3 November 2017
(CPD: 20hrs)

**Note that the Spring School and Summer School are each available as a free-standing three-day course. They are also a prerequisite, as Module 1, for attending modules 2 & 3*

What they say about Core's Mediation Skills Training

This was the best course I have been on and I would recommend it to anyone who has to deal with difficult situations or people. I can't wait to come back for the second part.

Sincere thanks for your patience and unending enthusiasm. This course has made a huge, sustainable difference for me. Not just in work, but even in how I speak to my children...

Thank you so much for your efforts in organising, hosting and delivering the Summer School. It was a fantastic learning experience and a very enjoyable stay at the wonderful Blair Estate... We quickly realised the impact and usefulness of the techniques we had learned! What a well organised and brilliantly delivered event.

I wanted to let you know how much I 'enjoyed' the course. I use the term 'enjoy' on a reflective basis. At the time, with palms sweating and mind racing, it's perhaps not the term I would have used! I found it energising and refreshing to be placed so far outside my general competences and, whilst uncomfortable at the time, I am now reaping the benefits of the skills gained in my everyday working and personal life.

For details of Core's mediation services and to register for one of our courses, contact Miriam Haboubi at 0131 524 8188 or Miriam.Haboubi@core-solutions.com
www.core-solutions.com

Athletics and Mediation

John Sturrock

The Olympics have come and gone with all of the emotion and inspiration they bring. In our recent, fully-subscribed, residential Summer School on mediation skills for leaders, we reflected on the learning from Rio. We watched a video replay of the men's taekwondo -80kg final in which Team GB's Lutalo Muhammad lost to his Ivory Coast opponent in the last second of the bout, giving the latter his country's first ever Olympic gold medal.

Unmitigated tragedy for one, unremitting joy for another. Tears of pain and tears of exhilaration. And it all swung on the events of one second. A momentary loss



of concentration, perhaps assuming that victory was assured. On the other hand, a moment of persistence, never say die, it's not over until....

Which athlete will benefit most from this experience? That may not be as obvious as it first appears. Loss and suffering are an essential part of the human journey. Gold medals are rare. Success may be measured just as much by how we deal with failure as with a "winning" achievement.

That Olympic story gave our course participants the prompt to discuss how much in life happens in the margins, in a moment. And to recognise that how we react under pressure in that moment may define us and the future of others, whether as mediators or more generally. Indeed, we realised how such a future may be de-

termined simply by a remark made or a question asked, a raised eyebrow or a furrowed forehead. We realised how precision of language, a short pause, self-discipline in reacting to unforeseen events, can all shape a conversation, a new business alliance, our approach to impending conflict or indeed whether we go to war. In that last example, for one or two in exalted positions, that reaction might even determine whether we press a certain button or not.

At the same time, top athletes must learn to perform without hesitation: if Usain Bolt had paused in the 100 metres final, he would not hold three Gold medals from each of the last three Olympics. In another setting, the ability to react in the heat of the moment with poise and skill may mark out the master surgeon from his peers. And what about the police officer faced with an apparently armed person seemingly intent on killing? No time to delay.... Sometimes the choices we



make, in spite of months or years of training, will lead to outcomes which will be judged using a binary, "hindsight is a great thing" assessment, as "wrong".

In our mediation Summer School, these considerations led us to acknowledge the need both to practice effective skills until they become second nature and, paradoxically perhaps, to be much more consciously aware of what, why and how we are doing or communicating at any particular moment – which might just be a pivotal one in a mediation or meeting.

Mediation News

Scottish Community Mediation Centre

The Scottish Community Mediation Centre has recently welcomed its new manager to the organisation, Scott Khalil. Scott is looking forward to working with many of you in future across the mediation and restorative practice fields and can be contacted at skhalil@sacro.org.uk or 07967 507 105

Mediators Wanted

You may know that Strathclyde now has a very keen student mediation society. We are running an internal competition on 21st October and are looking for coaches and judges. Might you be able to put out notice to the

network? If any experienced mediators are able to offer a 2 hour coaching session at Strathclyde or to come and judge on Oct 21 could they contact Pauline McKay on pauline.mckay@strath.ac.uk.

Simple Procedure

With the advent of the new 'Simple Procedure' for claims of up to £5,000 the Scottish courts look set to encourage far greater use of alternatives such as mediation – see

<http://kluwermediationblog.com/2016/09/10/and-finally-some-good-news-from-scotland/>

The Strathclyde programme provides the ideal foundation for mediators, combining academic rigour with practical training and experience."



THE MEDIATION PARTNERSHIP SMR Accredited Mediator Training



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

**Dates: Thurs 23rd & Fri 24th Feb, Tues 7th, Weds 8th & Fri 9th March 2017
(includes 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

Dealing Effectively with Conflict

Date: Thurs 24th and Fri 25th November 2016 in Aberdeen

This two-day course is suitable for anyone with an interest in learning more about conflict and how to deal with it more constructively - particularly those who find confrontation difficult and/or have line-management responsibilities. It will enhance delegates' self-awareness and confidence in conflict situations, and offer tried and tested skills and strategies for achieving more positive outcomes.

"I have found this training to be extremely useful, both in my professional and personal life." Delegate – Public Sector Snr. Manager

"Excellent session delivered by trainers with first hand mediation experience – lots of practical skills and techniques, coupled with good theoretical background - this should be available to all with management responsibility." Delegate - HR Professional

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

Network News

Scottish Mediation Network AGM

The Network held its AGM on 5th September 2016 at the Anderson Strathern Offices in Edinburgh. The meeting was well attended and the work of the Network for last year was reviewed with discussion on the year ahead.

Our guest speaker was David Buchanan-Cook from the Scottish Legal Complaints Commission. David's talk highlighted how the mediation model used by SLCC has wider applications and could be used by other organisations dealing with complaints.

In the elections to the Board three new members were elected and at the subsequent Board meeting a further member was co-opted. The new members of the Board and a bit about them is detailed below.

Amanda Heenan

Amanda specialises in equality and inclusion and holds a law masters degree (LLM) in UK and EU employment and equality legislation, as well as having trained as a mediator in 2008. Having founded a community engagement social enterprise, she is particularly interested in community empowerment and capacity building.

Amanda is a former Trustee of Disability Sports Yorkshire and has recently relocated from Yorkshire to Stirlingshire, at the foot of the Trossachs. She is keen to champion mediation and promote SMN in the community, voluntary and business sectors.

Sam Tedcastle

Based in Fife, Sam is Director and Senior Practitioner for the Centre for Good Relations. She also works for WWF UK engaging stakeholders in marine policy where

she has used civic mediation as a tool to support relationship building in the Scottish fishing sector supporting effective policy implementation. Sam sat as a Commissioner on the Commission for Integration and Cohesion which reported to Secretary of State for Communities & Local Government. She is a passionate believer in the power of mediation and would like to see Scotland become a renowned centre for quality and innovative mediation practice.

Scott Docherty

Scott is a family mediator and partner with McArthur Stanton, Solicitors. He is a member of CALM Scotland, the Family Law Association, and is an Advisory Board member of the Voices in the Middle charity campaign. He created and manages a number of mediation and legal websites, actively promotes mediation on social media, and is a published author in the field. With Ewan Malcolm he has developed a training course on how to mediate online, and is pressing for an increase in access to training for child-inclusive mediation in separation. He is happy to work with all like-minded individuals, organisations, state bodies and the government in re-imagining from the ground up our approach to conflict resolution in Scotland.

Huw Owen

Huw is a journalist and leadership and management practitioner. His interest in mediation stems from experiences working with the BBC and UNICEF and from his work on leadership and management. Huw brings a particular expertise in communications across digital, radio and television media which he is keen to use to help communicate the possibilities of mediation.

More detailed profile will appear in future issues of Collaborate.



Queen Margaret University
EDINBURGH

*Ask about
single
modules in
Mediation
Theory &
Practice!*

do you help
people resolve
their disputes?

MSc Dispute Resolution

(available online and by blended learning)

For information visit www.qmu.ac.uk or email cgill@qmu.ac.uk.

Network Training and Events

Workplace Conversion Course

12/13 December, Edinburgh

The Network are delighted to be running the course with Carol Hope and Jeremy Scuse as trainers. This practical two day course (13 hours of CPD) introduces mediators experienced in other fields to the problem of workplace disagreement and conflict. Participants will learn about the causes of conflicts to watch for, how to adapt their mediation styles, the use of written communication and other techniques over two enjoyable, interactive days with opportunities to practice their newfound skills.

Content will include:

- **Legal Context** - The 2008 Employment Act has changed the environment for mediation - how does this affect the mediator, what advantages and drawbacks does it create?
- **The Organisation** - How does it respond to conflict?
- **HR Managers** - Are slowly understanding that mediation could help. As a mediator what approach should we adopt with them?
- **The Disputants** - Do managers in a dispute differ from anyone else in conflict - what motivates them, who advises them, how important is 'face', and how important is it to follow procedure?
- **The Life of the Dispute** - The internal and legal status stages a complaint may go through before it comes to mediation and how this can affect the parties
- **Workplace Conflict** - So, how do workplace conflicts differ from those between neighbours or within families?
- **Transformative or Facilitative** - The mediators objectives: what realistic outcomes can be expected from a workplace mediation?
- **Mediation Format** - Many workplace conflicts will have taken years before the mediator is involved. So how might we adapt our mediation styles to cope with long embedded conflict?
- **Written Communication** - Many workplace mediations take place over several meetings, sometimes weeks apart. What sort of written communications between the mediators and the individuals can help the process?

- **Practice, Practice, Practice** - Over two days, we will use actual case histories as the basis to practice your newfound skills
- **Debrief and Evaluation** - Final question and answer session and addressing of any outstanding concerns.

Train the Trainer

24/25 October, Edinburgh

This two-day training event, facilitated by Carol Hope, would be an appropriate course for experienced family and community mediators, experienced youth and community workers and also teachers (primary and secondary) who are motivated to work with young people in this field. No previous experience of delivering peer mediation is required. Mediators who have some experience of peer mediation are also welcome.

Event Aims

- Equip participants with the knowledge and skills to deliver peer mediation training
- Build training capacity and increase the number of peer mediation trainers in Scotland
- Work towards the development of validation and standardisation of peer mediation practice and training

Expectations

By the end of this two-day event attendees will be provided with the information required to deliver peer mediation training in schools. Participants will be given access to training materials, resources and information to help create a peer mediation training toolkit.

Future Events

The Network has a social media event planned for January 2017 and a Mediation and Planning conference in collaboration with PAS on 21 February 2017. Watch out for details.

Bookings

To book any of our events either phone 0131 556 1221 or email admin@scottishmediation.org.uk

Workplace Employment Initiative Group

October 2016

Dear SMN colleague

Our next meeting will be on Friday 28th October at the SMN office in Edinburgh. Our main meeting will start at 2pm with a CPD extra session starting at 12.45pm.

Transformational Mediation—Julius Erolin at 2PM

Julius Erolin will lead a seminar will provide an introduction to transformational mediation, what makes it distinct and it is different from other forms of mediation.

The optional extra CPD session at 12.45: self-help sharing session on how mediators deal with the issue of confidentiality in their mediations. Please bring any examples which you use.

All meetings are open to SMN members and provide an opportunity for mediators involved and/or interested in workplace mediation to come together to network and share experiences.

Please email admin@scottishmediation.org.uk if you are able to attend.

Looking forward to meeting up,

Slainte

Linn

Linn Phipps, Chair, SMN WEIG, 07917 564440