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Everybody Needs Good Neighbours

Everybody needs good neighbours and a little understanding goes a long way but sometimes if things go wrong it can quickly become a nightmare as there is no escape and communications can break down very quickly

Around 20% of the enquiries on the Scottish Mediation Helpline relate to neighbour disputes with 40% of these involving noise disturbance which is recognised as a significant cause of stress with impact on both physical and mental health.

We are delighted, therefore, to have received funding from the Safedeposits Charitable Trust to provide a free mediation service for neighbour disputes in Scotland where at least one party is in private rental accommodation. The Neighbour Mediation Project was launched on 1 August 2022 and will fund up to 20 mediations over the next twelve months where -

The parties live in Scotland.
At least one party is in private rented accommodation.
All parties are willing to mediate.

Referrals will be via the Scottish Mediation Helpline 0131 556 8118, admin@scottishmediation.org.uk and can be made by either party or by their landlord or letting agent.

The project will be administered by Scottish Mediation and the mediations provided by a panel of fully qualified accredited mediators from the Scottish Mediation Register.

For the Sake of the Children

Rosanne Cubitt

How to reach agreements about the future care of your children after separation or divorce.

Making decisions as parents can be tricky at the best of times, but when you are living separately from your child's other parent it can be even more difficult.

Whether you have split up recently, a long time ago or have never lived together, communication can sometimes break down and misunderstandings arise. Emotions might be running high and you might have very different views about what has happened and the best way forward. Help is at hand however! Family Mediators are experienced in helping parents find ways to communicate more effectively and to agree arrangements that work for them and for their children.

Relationships Scotland, the main provider of family mediation services across Scotland, is keen to raise awareness of the help and support that is available. When you contact a Relationships Scotland Member Service you are initially offered an individual, one to one meeting, where you can talk about your situation and find out what's available to help in your circumstances. This discussion might take place in person, online or by phone. You can decide whether to try family mediation when you find out more about it. You can also hear about other support that might be helpful, such as Parenting Apart information sessions or Child Contact Centres.

Family mediators work with all kinds of families in all sorts of situations. They understand the complexities of modern life, different family structures, and multiple relationships for parents and children. They work with mixed sex and same sex parents. Parents may have different cultural or faith backgrounds and perhaps differing expectations about

parenting, or they may have extended family living in other countries.

Children have different needs and capabilities and there are particular challenges for parents where there are mental or physical health issues. These put additional pressures on relationships. Misunderstandings often arise in stressful situations! Mediators can help families to



Photo by [Nathan Dumlao](#) on [Unsplash](#)

improve communication and focus on everyone's unique needs.

One mediator explained about working with

For the Sake of the Children

Rosanne Cub

a family where the fourteen-year-old was exploring their gender identity and considering transitioning. The parents, who were separated, discussed the situation and their concerns in mediation. The mediator also met with the young person to hear their perspective and shared this with the parents. Mediation helped these parents who were living apart to understand and agree how best to support the young person as they considered the future.

Family Mediators at Relationships Scotland undertake rigorous training which includes diversity and inclusion, safeguarding and trauma informed practice. They continue their learning through supervision and ongoing professional development.

Relationships Scotland's family mediation service is now available across the country online as well as in person. This helps overcome geographical, travel and cost constraints to accessing support. It can be easier to fit appointments in around family and work commitments.

Relationships Scotland is keen to make their support accessible to all and to hear from you with any ideas for how they could do this better.

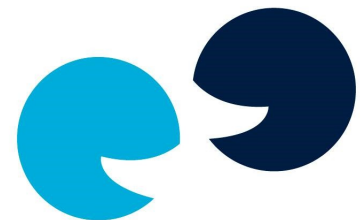
Find out how to reach agreements and build a positive future for your family by contacting your nearest Relationships Scotland Member Service.

You can find out how mediation works, hear from parents about how mediation has helped them, and locate your nearest Relationships Scotland Member Service at our website: www.relationships-scotland.org.uk. Or call the Relationships Scotland Info Line on 0345 119 2020 for more information.

For more information about anything contained in this article or family mediation in general, please contact Rosanne Cubitt at rosanne.cubitt@relationships-scotland.org.uk or 0345 119 2020

Relationships Scotland is a network of Member Services, 13 of which offer Family Mediation across Scotland. They employ mediators on the Relationships Scotland Register, which means they meet agreed professional standards. Relationships Scotland is approved as an organisation to accredit mediators by the Lord President of the Court of Session in Scotland.

Member Services that provide mediation can be found here: <https://www.relationships-scotland.org.uk/find-a-local-service/family-mediation-services>



RELATIONSHIPS
counselling, mediation
& family support across **SCOTLAND**



University of
Strathclyde
Glasgow



University of Strathclyde
Mediation
clinic

The UK Mediation Clinic Conference 2023

Saturday 18 March 2023

(online and in person in Glasgow, Scotland, UK)

“Working within the Courts: The Role of Mediation and Mediation Clinics in Civil Justice Systems”

Join us in University of Strathclyde's new Teaching and Learning Building. The keynote from **Tony Allen** “Mediating in the Shadow of the Law” and with **Dr Anna Howard**, **John Sturrock KC** and **Sheriff Livingston** among others will be facilitating workshops, panel discussions and dedicated networking time. The event will be chaired by award winning broadcaster **Dr Vanessa Collingridge**, where all speakers will be in person.

The full programme is available [here](#).

Tickets and Registration

Click link or scan QR CODE
to purchase tickets from the
University Online Shop

Buy Tickets 

All enquiries to: mediationclinic@strath.ac.uk
Mediation Clinic Conference 2023 | University of Strathclyde



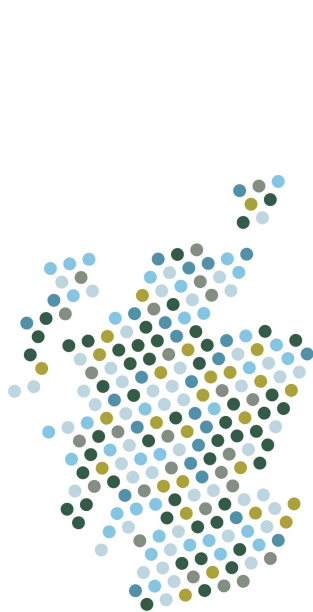
TICKETS

Scottish Mediation Charter

Graham Boyack

Back in 2020 Scottish Mediation launched the Scottish Mediation Charter. The purpose of the Charter was to highlight the positive impacts of using mediation and the skills of mediation as part of the day to day working of organisations.

Since the launch we've recruited organisations large and small and it is now supported by Universities, Local Councils, Businesses, and Charities. The reason I am highlighting the Charter just now is that since we have started to attend events more and more people have been asking about it so it seemed like a good time to reflect on what it is and what's involved.



THE SCOTTISH MEDIATION CHARTER

The Charter is a simple commitment that asks organisations to do two things. The first is to give a commitment to use mediation where appropriate, the second is to create opportunities for people in their organisation to gain the skills of mediation.

So what does a commitment to mediation mean for organisations? Scottish Mediation believes that the use of mediation and mediative approaches leads to more productive working and business relationships, better governance, and helps the development of an inclusive culture.

Mediation is a good way to resolve the disagreements that will arise in any workplace that is creative, that protects and restores relationships, and provides longer term solutions. When engaged with willingly and in good faith, mediation can be a timely, affordable, and empowering way of resolving those disagreements.

For some larger organisations a commitment to using mediation can become integral to the way an organisation works. In Scotland, the Universities of Dundee and St Andrews have trained their own mediators to help resolve all sorts of disputes. These can involve issues in human resources management, complaints, and dysfunctional teams where an independent voice working inside a confidential discussion can often help to get to the bottom of things that might not have been surfaced but which are the real causes of a problem.

Not every organisation might have the capacity to make the investment in creating an internal team of mediators but even something

that allows the spread of the skills of mediation in an organisation can lead to better conversations where people are trained to listen effectively. The ability to resolve disputes at an early stage can also go a long way to avoid the time and cost that is involved in dealing with formal internal discipline or grievance procedures and, even worse, in defending a court or tribunal claim. I know that when I received my mediation training my immediate reaction was that I wished I had trained thirty years earlier as I saw how it would have helped me in my previous

Scottish Mediation Charter

Graham Boyack

management roles.

I think the impact on culture can be profound for all organisations. The benefit of being able to create safe spaces for conversations is that it can help to promote innovation and creativity and to better understand the issues that need to be tackled. Often those sorts of conversations only happen when an extra effort is made to create a place for them to happen such as at an away day so being able to support such thinking on a day to day basis can be a very valuable way to help to promote quicker responses and clearer thinking. Very often people might be thinking the same thing but are reticent about raising an issue because that is seen as too challenging. Having people insider your organisation with the skills to tease out issues through good listening and targeted questioning can get those issues out into the open and onto the agenda.

So; if you wanted your organisation to

commit to the Charter, how would, you do it? Your first port of call would be the Scottish Mediation website www.scottishmediation.org.uk. Click on the Scottish Mediation Charter logo and you can find all the information you need. Why not give us a call on 0131 556 1221. Our staff are able to advise on where you can access training, give you examples of how other people have used mediation to great effect and talk through any questions you may have. We'd love to hear from you.

Online Mediation Skills Course 9, 10, 14, 15, 17, 22, 24 March 2023

"This was a really good course and probably one of the best and interactive training courses I have done." (learner, October 2022 course)

Designed for people who will be using mediation skills in their work, this course has been accredited by the Scottish Credit and Qualifications Framework at level 6.

Using Zoom as the online platform, this course consists of 9 modules.

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 course is assessed based on activities from day four onwards, culminating in a full role-play of a mediation meeting on the last day of the course.

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



Book Review - Dealing with Disputes and Conflict

Patrick Scott

A Self-help Tool-kit for Resolving Arguments in Everyday Life by Tony Whatling

Described by the author as a "self-help tool-kit for resolving arguments in everyday life", the book certainly achieves that goal but is also a useful reference for experienced and novice mediators alike. Written in an accessible format, it contains many tips and suggestions on how to get the best results from a mediation, and how to deal with difficult and challenging parties.

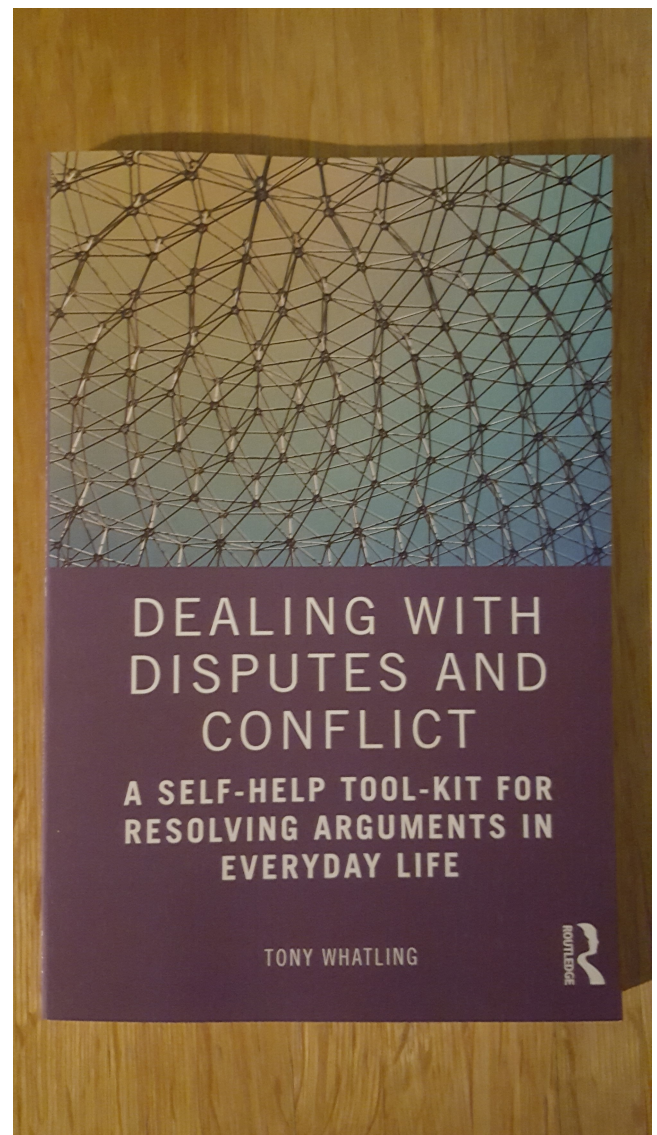
Tony Whatling starts by exploring some common definitions and principles of mediation, identifying the potential challenge to the lay mediator as being "an impartial third person", a concept many experienced mediators struggle with in a different context.

Some interesting points are made - sometimes skilful and experienced mediators neglect summarising as a tool for fear of failing to summarise correctly. He also explains the importance of "active listening" and describes in some detail how this can be achieved. "It is not enough for the mediator to be listening and understanding, the speaker must know and feel this to be so, and the periodic summary conveys this cogently". The same can be said of impartiality - it is not sufficient for the mediator to be impartial, but he or she must also be perceived by the parties as being impartial. The importance of eye contact, the use of open and closed questions and positional bargaining versus needs-led negotiations are also covered in an easily accessible manner.

The book covers "additional strategic interventions beyond core toolbox skills", covering aspects such as normalising, mutualising, reframing, concatenation and the Jujitsu approach, some of which were alien concepts to me. There are interesting and useful observations, such as unless people in fixed positions experience doubts about their positions, they will not be

psychologically or emotionally "fit enough" to negotiate a settlement, which provide useful advice to lay, novice and experienced mediators alike. Another interesting observation is that the strategies mentioned by the author "are designed to engender a gradual and progressive sense of uncertainty", making it easier for the mediator to help the parties towards a resolution.

"What are the known attributes of effective mediators?", poses the author, pointing out



that "very little has been written about the qualities of the mediator". He then sets out a list of these qualities, including a sense of



LLM/MSc Mediation and Conflict Resolution

The ability to deal with conflict is a key skill in the modern workplace. The UK's leading postgraduate programme in Mediation and Conflict Resolution at Strathclyde Law School provides a thorough, practical and exciting introduction to this developing area. Our alumni are working as freelance mediators and in law firms, public sector bodies, NGOs and mediation organisations, in Scotland and overseas.

Legal training is not a pre-requisite; the MSc/LLM option means students from a wide range of disciplines can tailor the course to their needs.

Distinctive features include:

- A thorough introduction to the academic study of mediation
- A focus on interpersonal mediation skills including the ability to deliver online mediation
- **The Mediation Clinic**, enabling students to work closely with experienced mediators. The arrival of Simple Procedure has brought many more cases to the Clinic, increasing the opportunities for students to gain real world experience
- Accreditation by Scottish Mediation (as fulfilling the training requirement for the Scottish Mediation Register)
- Rigorous and multi-disciplinary, taught by UK and international experts
- A truly international mix. Recent cohorts have included students from India, New Zealand, Ecuador, Brazil, Ghana, Nigeria, Seychelles, China, Canada, USA, Germany, Spain, Czech Republic, Poland, Belgium, Iceland and the UK
- Suitable for leaders, managers, lawyers, mediators, HR, health professionals and anyone working with people

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, students may choose electives in negotiation, employment mediation, mediation law and policy and arbitration plus classes from throughout the Law School.

Start Date: September each year
Mode of Study: Full-Time or Part-Time taught by a combination of evening lectures and intensive weekend sessions. For 2020 we are introducing a blend of online and face-to-face teaching.



Application and further information can be obtained from:
<http://www.strath.ac.uk/humanities/courses/law/courses/mediation/>

Contact
 e: hass-pgt-enquiries@strath.ac.uk
 t: 0141 444 8600

Book Review - Dealing with Disputes and Conflict

Patrick Scott

appropriate humour, physical endurance and the hide of a rhinoceros.

There is a good balance between mediation theory and practical advice, with a number of examples of the author's vast experiences to emphasise the points that he postulates. This not only assists the reader in understanding the principles, but adds an interesting dimension, making the book a "lighter" read than the usual academic work or educational guide. These examples make it easier for particularly lay mediators to obtain more insight into what they need to do to guide parties to a resolution.

Another useful topic, not often covered in mediation literature, is "the power of apology and reconciliation". After setting out the key elements of an apology, Tony explains how the mediator

approaches this sensitive issue, describing apology and forgiveness as "highly personal and idiosyncratic processes, emotionally and psychologically" and that they "should never be coercive or imposed by practitioners".

Another aspect of mediation not often covered in works on mediation is the importance of ensuring safe practice. The author deals with co-mediation, covering both the benefits (such as providing reassurance to a novice mediator) and some difficulties (such as complications in who takes the lead and turn-taking). The use of humour is also covered, and the advice is to use humour carefully, respectfully and

sensitively.

Finally, there is some useful advice on how to manage a mediation, with the timing of interventions by the mediator, time-out breaks for the parties and laying the ground rules for an effective mediation. Tony also offers some tips on how to avoid potential legal consequences and provides some important cautionary warnings to bear in



Photo by [Richard Lee](#) on [Unsplash](#)

mind, in ensuring that the parties are satisfied that the mediation is safe and that they want to proceed.

This book is available on Amazon and from the publishers, Routledge, in paperback, hardcover and on Kindle and would be a good inclusion in any mediator's library.

Patrick Scott
Mediator
Isle of Arran, Scotland

New Year Reflections

Graham Boyack

As January has now passed and we move into February I was looking at what has happened in the last year and what a year it's been. And I don't mean that in a good way. I have also been thinking about the year to come too.

The first event that came to mind was the Ukraine war which commenced on the 24th February. Whilst there had been some indications that something might happen, I don't think the scale of

are many efforts to promote mediation in an effort to secure a peace it is clear that it's not going to happen soon.

Despite the continuation of the war, mediation to support Ukrainians has made a significant impact. Projects like "Family Mediation in the Time of War" where Ukrainian Mediators are supporting families often living apart and having to deal with difficult situations have been very welcome. I'd also



Photo by [Kevin Schmid](#) on [Unsplash](#)

it had been anticipated and neither had the way the shockwaves from the war would spread around the world. That at present there does not appear to be a likely exit route to war is both tragic and concerning for the future. Although there

highlight the work of mediators like Hanna Dushkova in Dundee who has been helping Ukrainians deal with the impacts of conflict and how they can live a full life in Scotland.

New Year Reflections

Graham Boyack

The impacts of the war have been more far reaching. Some see it as contributing to the current cost of living crisis and the high inflation levels that have led to many employees finding themselves in conflict with their employers over pay. That the industrial actions which have been triggered have included dissent about other, more long-term, issues suggests to me that in some areas employer and employee relationships can be improved. In many cases issues such as a lack of trust are apparent and perhaps better, more consistent dialogue and systems to support those relations are needed. Some of that could be

work with schools. When I look at that work, I think it's partly an investment in the future in modelling how better relationships can be developed from a young age. We've been working across Fife Council training school students in the skills of mediation, helping them to resolve the conflicts that arise on a day-to-day basis and embedding the training skills with teachers and support staff to ensure that the work continues. It's the first time we've worked with a whole local authority and it's been a privilege to do so. They say that mighty oaks from little acorns grow and I see our work with schools in that vein. With

skills learned at an early age supported throughout life I think there would be a great benefit across the whole of society. Equipping people to resolve their own disputes and in many cases not letting them become as corrosive as many do would be a great step forward.

Although we seem to be living in what is a very conflicted society, I do think that recognition of this has led more mediators to want to help people to have better conversations. Conversations that look beyond the binary yes /

no, for/against options into allowing people to understand why others might not see the world their way. I see one of Scottish Mediation's tasks for the next year being to equip more people to help in those conversations and to identify how we can best help that to happen. In some cases the stakes are too high for than not to happen.

helped by more consistent use of mediators but even by embedding mediation skills across workplaces and building systems that use it would seem to be a start.

I've been thinking about the future too and one very positive thing has been the significant step up in Scottish Mediation's



Scottish Mediation News

Practice Standards and New Registrations 2023

Thinking of joining the Scottish Mediation Register? You can become a member or registered practitioner. Attend this free online seminar to find out more about registration. What is required to be a registered mediator and what are the required standards. Find out about the many benefits and opportunities for sharing practice and learning.

The hour-long seminar will consist of a 15 minute presentation, followed by an opportunity to ask questions.

The event will take place on Wednesday 22nd February from 12.30pm-1.30pm. Zoom link to be sent out nearer the time.

To book this event please click [HERE](#)

Welcome to Scottish Mediation

Scottish Mediation are delighted to welcome Angus Crawford and Oluwaseun Lawal who join as practitioner members.

Tamsin Baillie, Gillian Caroe, Aimee El-Paget, Dovile Friend and Lorraine Blair join as individual members.

Royal London join as an organisation member.

Whether you are an organisation, a practitioner of mediation or someone interested in finding out more we have a range of memberships available which can be viewed [here](#).

Family Mediation Course Module 1

SM are running an online session for the first module for the Family Mediation Course. The course will cover all areas below.

Overview of Scots Family Law and Procedure including the law relating to:

- i) Divorce/Dissolution
- ii) Property and financial matters arising from marriage/civil partnership & cohabitation
- iii) Parental responsibilities and parental rights
- iv) Financial support for children
- v) Court Procedure and Non Court Dispute Resolution

This module is to provide a broad understanding of the legal framework which regulates family life to allow you to:

- know the broad principles and the vocabulary of the legal framework
- appreciate where the legal framework fits in when separating couples are making plans by agreement
- understand the options for dispute resolution

The cost for this session is £230.

This is the first module of a new Family Mediation course and it is essential to complete this model prior to undertaking the subsequent ones.

For further details and booking click [here](#).

Workplace Employment Initiative Group

February 2023

Dear Scottish Mediation colleague

Our next meeting takes place on Monday 27th February online at 2pm.

Our meeting will feature Alan Hope from ACAS, his topic is 'Smarter Resolutions – ACAS Alternative Dispute Resolution.'

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

This meeting will take place online and to receive a link for the meeting 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