

# scottish mediation

***Third Sector Project***

***10 Year Report***

***October 2015 – March 2025***

## **Third Sector Project Report**

**October 2015 – March 2025**

***This report outlines the achievements of the first ten years of the Scottish Mediation Third Sector Project. The project has handled 447 Helpline Calls resulting in 163 mediations with an 85% success rate.***

### ***Background to the Third Sector***

The "third sector" includes voluntary and community organisations (both registered charities and other organisations such as associations, self-help groups and community groups) social enterprises, mutuals and co-operatives.

The Scottish Government is committed to the development of an enterprising third sector in Scotland as the third sector makes a direct impact on the growth of Scotland's economy, the wellbeing of its citizens and the improvement of its public services

Approximately 30% of Scotland's population are involved in some way with the sector - either as employees, volunteers or board members.

There are over 46,000 third sector organisations in Scotland with a great variation in size. The largest 9% of organisations have an income of over £500k representing 93% of the sector income. The vast majority of organisations are therefore relatively small, heavily dependent upon volunteers and with restricted funding. Around 30% have an income of less than £5000 and 51% have an income of less than £25k

### ***Need for mediation***

Third sector organisations are likely to have the same issues as any other but there is the additional complication of the differences and dynamics between employees (often on a variety of different contracts), trustees/boards/committees and volunteers. Currently many third sector organisations are being encouraged to work in partnership often with organisations with whom they have been (and may still be) in competition for funding. Together with bringing together differing values, cultures and aims this can be a source of dispute.

### **Engaging Positively with Conflict**

### **Scottish Mediation Third Sector Project**

Launched on 1 October 2015 in partnership with SCVO, the Third Sector Mediation Project aims to raise awareness of mediation in the sector and provide free or low cost mediation to small charities and voluntary organisations who otherwise are likely to consider mediation too expensive.

The project offers free or reduced rates depending on the income level of the third sector organisation. The largest organisations are offered the standard Scottish Mediation Helpline rate but still benefit from advice and support tailored to the Third Sector.

Most mediations are completed within one day but any extensions are agreed directly with the mediator.

|                                     |                          |
|-------------------------------------|--------------------------|
| Income up to £50,000                | Pro- bono – 1 day        |
| Income between £50,000 and £250,000 | £350 - 1 day's mediation |
| Income over £250,000                | £125 per hour            |

*Note: fees increased in 2024 from £300 and £100 respectively*

Mediation is accessed through the Scottish Mediation Helpline. Initial advice and information is provided and once all parties have agreed to mediation a mediator is appointed from the Scottish Mediation Third Sector Panel. This comprises fully qualified mediators with an interest in the third sector. Currently there are 47 volunteer practitioners from the Scottish Mediation Register.

In order to assist newly qualified mediators to build up the necessary experience to join the register, the project offers Scottish Mediation members in this situation the opportunity to volunteer as a co-mediator in Third Sector cases. We currently have 19 volunteers on the project's co-mediation panel.

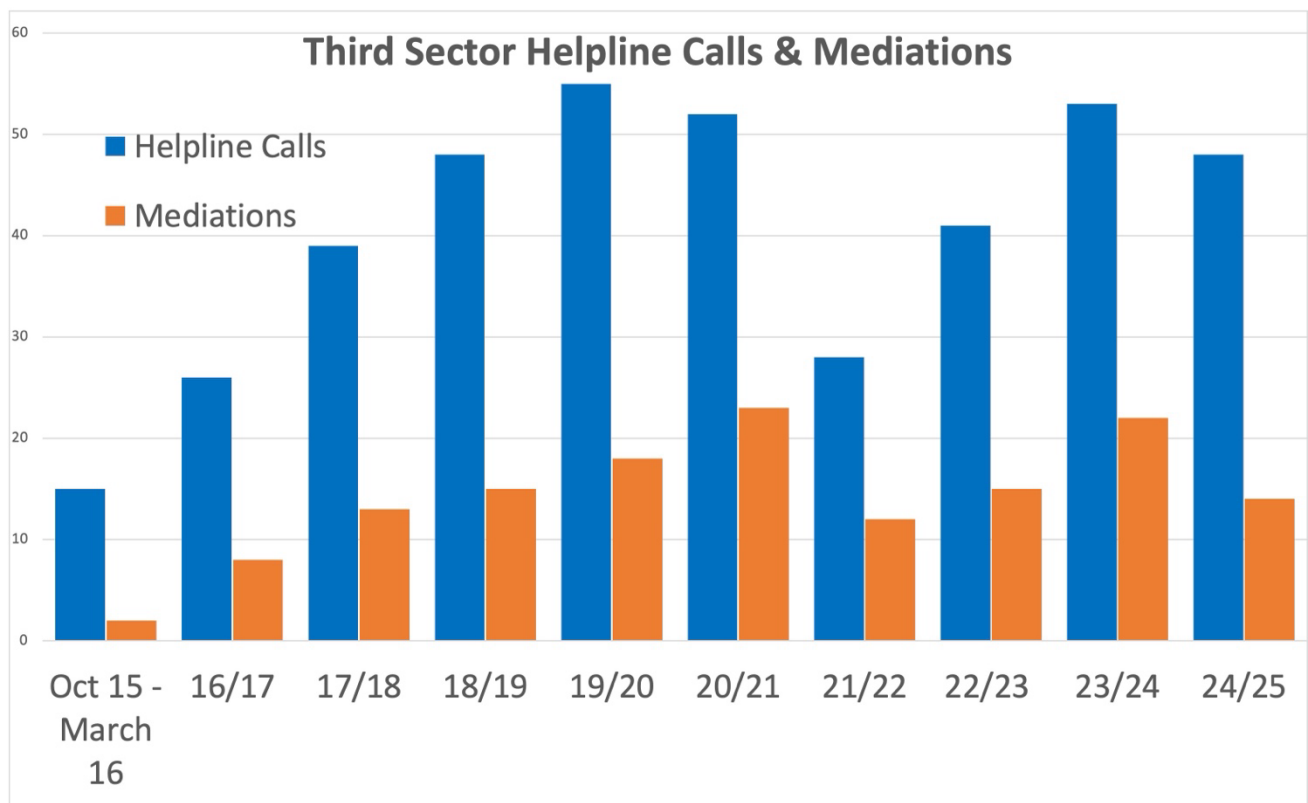
Most mediations are conducted face to face but maintaining the service throughout Covid necessitated a move to online mediations which continue to be a viable option depending on the nature of the case and the preferences of the mediator and participants.

### **Engaging Positively with Conflict**

## Performance

### October 2015 – March 2025

Since the start of the project there have been 405 Third Sector Helpline calls resulting in 142 mediations. This represents a 35% conversion rate from enquiry to mediation which is significantly higher than rates for mediation in other areas. The number of Third Sector Helpline calls and subsequent mediations increased steadily up until Covid. Subsequently they increased again although there was a small drop in the last year. Helpline calls are followed up and the reason for not progressing to mediation is usually a reluctance of one party to participate. To help overcome this barrier we have produced a short paper on *Bringing People to the Mediation Table* which gives advice on how to reassure parties and encourage participation. However in many cases the Helpline discussion and information provided on mediation have encouraged the parties and their organisations to reflect on the situation, communicate more effectively and resolve the issues themselves.

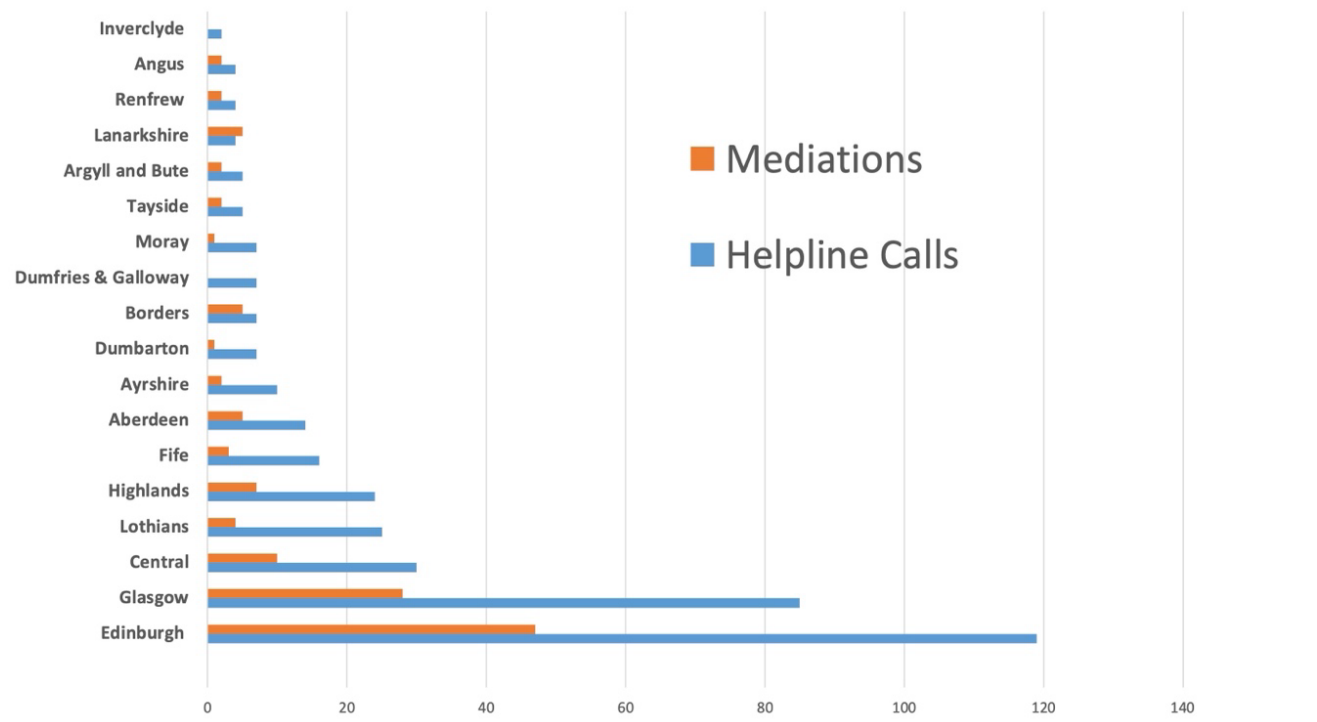


## Engaging Positively with Conflict

## Locations

In the 10 years of the project there have been enquiries from all over Scotland although the majority are around the central belt. This reflects the spread of charities which are mainly concentrated in Edinburgh and Glasgow followed by the Highlands.

**Locations of Third Sector Helpline Calls and Mediations  
Oct 2015 - March 2025**

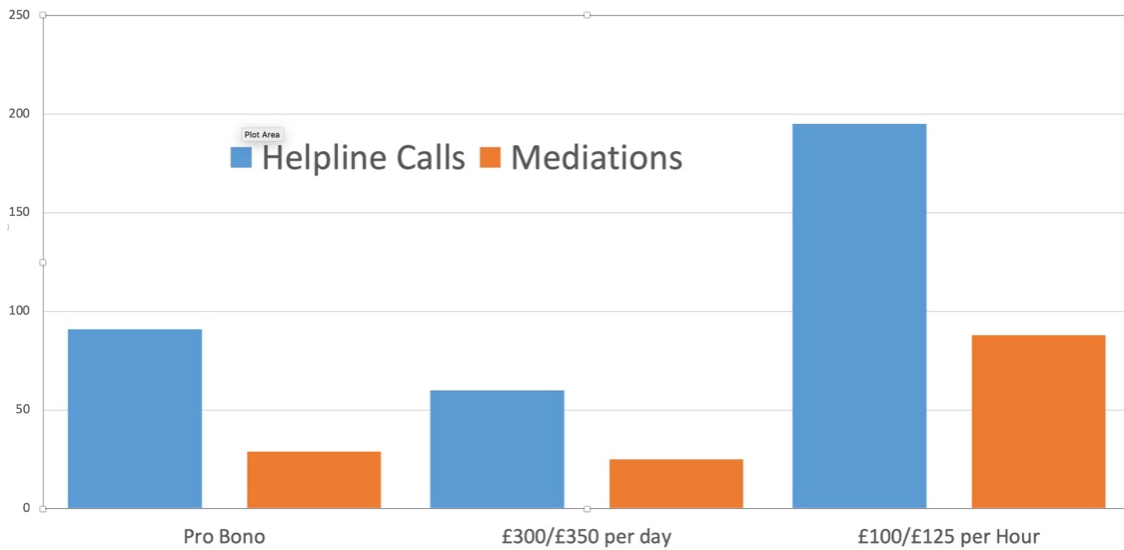


## Size of organisation

There is a spread across all sizes of organisations although weighted towards the larger ones. This is not surprising as they will usually have dedicated HR resource and are more likely to be aware of workplace mediation as an aid to dispute resolution.

## Engaging Positively with Conflict

## Third Sector Helpline Calls and Mediations Oct 2015 - March 2025 Fee levels (when known).



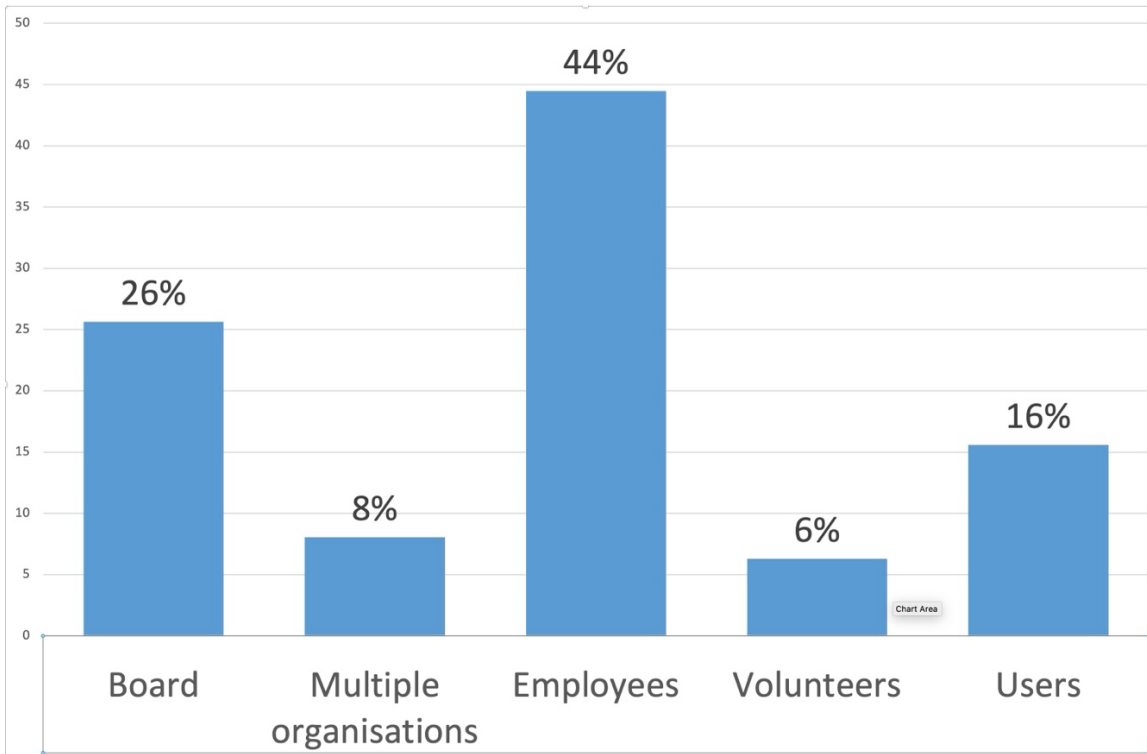
### ***Involvement in Disputes***

The Helpline calls relate to a wide variety of disputes with just under half involving employees, this may be because of the size of the organisations or because volunteers are more likely to just leave if unhappy with a situation. It is perhaps not surprising that more than a quarter of the cases we deal with involve a board in some way. Boards can be made up of people from very different backgrounds and experiences and very often they are passionate about the work of the charity. Unfortunately this can help escalate disagreements into major disputes especially where communications are poor or there is a blurring of roles and responsibilities. This isn't just stressful for everyone but valuable individuals can choose to walk away from the stress and in some cases the situation can jeopardise the reputation and future of the whole organisation. This can also apply in those cases where two or more organisations find it challenging to work together. There is also a growing trend to use mediations to resolve disputes and complaints involving clients or users. Around a third of the "user" issues involve Housing Association tenants, most involving disputes between neighbours.

## **Third Sector Issues**

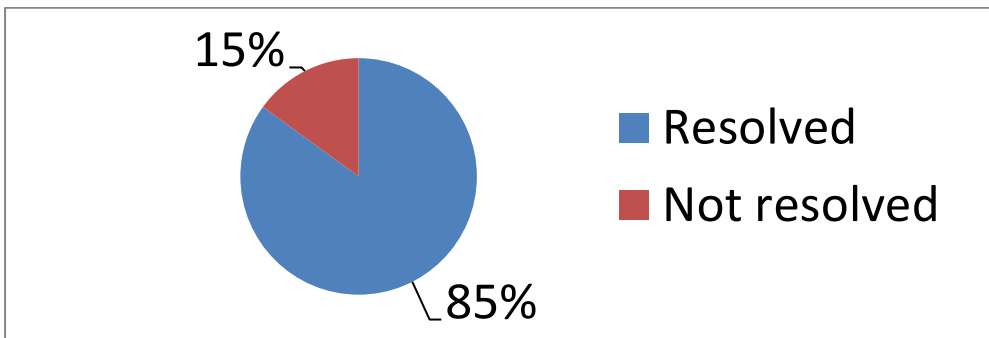
### **Engaging Positively with Conflict**

October 2015 – March 2025



## Outcomes

In around 20% of cases where a mediator was appointed the case did not reach a joint meeting. This was for a variety of reasons but often the initial information about mediation encourages people to try to communicate better themselves and so mediation becomes unnecessary. Of those cases that completed mediation 85% resulted in a successful outcome and agreement. This is encouraging especially as mediation is very often used as a last resort when positions have become intractable and everything else has been tried.



## Engaging Positively with Conflict

## **Promotion of the Third Sector Mediation Project**

The project is promoted through Scottish Mediation's website, Facebook and X but the most successful methods have proved to be through umbrella organisations and intermediaries and by face to face contact. With more than 46,000 third sector organisations in Scotland it is impossible to reach all of them individually. Our strategy therefore has been to work with the major intermediaries and attend as many appropriate meetings and conferences as we can.

We have worked closely with the following organisations and have provided mediation awareness sessions and workshops to their employees who deal with queries and information and blogs for their websites and social media.

- SCVO
- ACOSVO
- OSCR
- Inspiring Scotland
- Third Sector Interfaces
- Health and Social Care Alliance

In addition to attending The Gathering and other conferences with both information stands and workshops we attended OSCR *Meet the Regulator* events throughout Scotland. This activity was greatly limited by Covid and even afterwards the legacy of a move to more online meetings and conferences further limited the opportunity to network and build relationships.

## ***Managing Relationships in the Third Sector Workshops***

We developed a three hour workshop which explores conflict management from a mediating perspective. This not only assists participants to deal with conflict more effectively but also gives them a better understanding of how mediation can help and how to access it. As a result of Covid we developed online workshops which still remain a good option for organisations with widespread locations.

Since 2017 we have provided around 35 workshops to a wide variety of third sector organisations and the feedback has been overwhelmingly positive.

## **Engaging Positively with Conflict**

- *Excellent contrasting presentation styles from presenters. Techniques and processes so valuable for even 1:1 supervisions where not necessarily conflict but problem solving strategies, Great!*
- *Thank you- really enjoyed the course and learning about some new theories and techniques.*
- *I now have a much better understanding of how conflict might start so hopefully I'll be able to prevent it in the professional and personal capacity.*
- *Very informative with application across a variety of areas.*

We have also provided a number of webinars focussing on specific issues especially around developing and maintaining good relationships within boards.

## **Summary**

The Third Sector Project has had a very successful first ten years despite the challenges of Covid. The issues that cause conflict within third sector organisations if anything have increased over the period especially where funding issues have necessitated changes so it is as important as ever to continue to develop and improve the service.

If you have any queries or would like more information please contact –

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