How to Mediate

Mediation is a voluntary process where a neutral third party works with disputing parties to resolve a workplace conflict. The mediator helps the parties to discuss their differences, identify areas they have in common, and agree on a range of possible solutions. This methodology explains more about the role of the mediator and provides guidance on how to mediate effectively.

The role of the mediator

The objective of mediation is for the parties concerned to resolve their dispute themselves. Mediators are impartial – they do not take sides, advise or make judgements about who is right or wrong. Their key role is to help people communicate with one another to determine a mutually acceptable outcome.

How to mediate

1. Environment
Create a neutral, safe environment where all parties concerned can talk freely and openly. This may involve leaving the familiar workplace environment and setting up a meeting elsewhere. Make sure the environment you choose is comfortable – it should be warm and well ventilated, and tables and chairs arranged in such a way that is conducive to effective dialogue. A round table or a horseshoe shape facilitates effective communication. The key is to ensure that everyone is at ease and that there are no physical barriers to communication.

2. Introduction and ground rules
At the beginning, establish who is who by asking each person to introduce themselves. It may sound obvious but it is very important to set ground rules from the outset to ensure that the mediation process is fair. These ground rules could include:

- one person speaks at a time
- no interruptions
- no blaming
- no insulting or offensive remarks

3. Share information to determine the problem
Provide each party with the opportunity to present their case. If the other party interrupts or makes accusatory remarks, stop the process and remind the other person involved of their courtesies and that they will have the same chance to state their point of view after fully listening to the first party. Ask open-ended questions to clarify what has been said and to fully understand the dispute and identify the real issue. Once one party has finished speaking, summarise what they have said, rephrasing damaging statements. Repeat the process for every party involved.

4. Open discussion
Give everyone involved the chance to talk about the issues and feelings arising from their statements. Try not to interrupt the flow of conversation but encourage the parties to explore the emotions of the issue as well as the practical aspects, as a successful outcome is unlikely unless feelings have been taken into account. Inform the parties that acknowledging how the other feels and apologising for their part in creating that feeling is not the same as admitting fault.

5. Identify key issues and generate solutions
Remind the parties of the things they have in common and the issues they agree on. This can be the foundation to work from. Ask the parties to prioritise the issues and brainstorm solutions. Encourage them to seek out a win-win solution to satisfy all parties. Your impartial role as mediator does not involve suggesting or evaluating solutions. Instead you should facilitate the brainstorming process to empower the parties to determine and agree on their own solutions. They are more likely to buy in to the solution if they feel that they own it.

6. Prepare terms
Summarise and restate the terms of the agreed solution, which should have responsibilities and timescale clearly set out. If the solution appears impractical, challenge it, using ‘what if’ questions. These can help the parties think carefully about the practicalities of their solution and can bring up points they may not have thought about. Bear in mind that you may have a responsibility to ensure that any solutions generated do not have an adverse impact on the team/department/organisation and do not breach any organisational policies.
7. Next steps
Agree with all parties to monitor compliance by setting a date to discuss how well the solution is working.

Related Items

Related Resources

- Understanding Conflict
- Dealing with an Impasse
- Understanding Conflict
- Five Methods for Managing Conflict