

A photograph of a woman with short, styled white hair, wearing a light grey blazer over a blue top. She is smiling warmly at the camera with her hands clasped together in front of her. The background is softly blurred, showing what appears to be an office or meeting environment.

Accredited Civil Mediation Council (CMC) Mediator(s)

Resolve conflicts, employment disputes
and complex commercial issues

Birch-HR is an unrivalled and experienced team of education HR consultancy specialists. We lead the way with best-practice and effective HR support to achieve the best possible school improvement outcomes.

We are courageous and effective in our approach to resolve complex leadership and people challenges, as and when needed.

Impartial facilitative mediation

Mediation based on the principle of collaborative problem solving, provides direction for establishing relationships, with an emphasis on rebuilding effective relationships, rather than apportioning blame.

Our CMC accredited Mediator(s) provide impartial facilitative mediation, for the resolution of employment conflict between two or more participants. Ultimately resulting in a mutual agreement to find a solution for a positive way forward. Resolution that comes from the participants involved in the dispute, is an essential element for a long lasting effect.

Commercial mediation is also available to find the solution to disputes with subcontractors or third parties. We can assist with the agreement of modifications and payments when the contractual agreement has broken down. Mediation is also an effective way to reach agreements when an unprecedented situation, such as the current coronavirus, has impacted the scope of the original contractual agreement.

The use of mediation is normally not compulsory, (notwithstanding a contractual agreement). Nevertheless the use of mediation is actively promoted by tribunals to facilitate the agreement on a range of issues.



Benefits of Mediation

- Participation is voluntary.
- Provides an efficient, economical resolution.
- Aims to reduce the likelihood of legal proceedings.
- Tailored solutions to address the situation.
- Led and owned by the professionals and people involved.
- Fosters long term, positive working relationships.
- Impartial and entirely confidential process for effectual resolution of disputes.
- Provides an option to be legally binding when this is required.
- Significantly reduces direct and indirect costs associated with formal legal action, lengthy HR processes and demands on leadership/management time.
- Normally informal and not involving legal representation.

Benefits: The mediation process facilitates a safe and confidential space for participants to evaluate the reasons behind the conflict. During mediation participants are supported to find collaborative ways to resolve the cause of the dispute.

Principles of Mediation

- Explores the cause of negative feelings and addresses the concerns of all participants.
- Enables successful resolution of issues and rebuilds collaborative relationships.
- Empowers participants to want to understand and empathise with the other side.
- Enhances participants insights into the impact their behaviour has on the situation.
- Provides an opportunity to understand the behaviour of colleagues.
- Opens up possibilities for effective and long term change.
- Supports and encourages development of participants' future resolution skills.
- Uses the energy generated by conflict to inspire innovation, trust and cooperation.
- Encourages positive communication of issues to facilitate a mutual agreement, for an effectual solution.

Mediation Outcomes

- Agreed by both sides, often with flexible terms to minimise future conflict.
- Acknowledgement of individual participants' views.
- Long term commitment to modify and cultivate positive behaviour.
- Establish an obligation to periodically review the settlement terms, policies and procedures, and, or formal contracts of agreement.
- Ascertain an agreement for working in a person-centred way.



The long term impact of effective mediation

- Mediation helps to reduce the risk of time-consuming formal proceedings, such as, grievances, sickness, complaints and employment tribunal claims.
- Improved retention of staff and reduces work absences.
- Reduced workplace conflict, enhancing staff morale and commitment.
- Enhanced dedication to exert discretionary effort.
- Increased levels of performance and measurable, improved productivity.
- Develops a positive culture, limiting the potential for reputational damage.



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Modern workplaces are dynamic and complex, consisting of individuals from diverse backgrounds, with different cultural perspectives, opinions, values and expectations. Proficient conflict resolution involves the use of various strategies including mediation and/or HR support to provide clarification of issues to enable an effective resolution.”

Samantha Hulson,
HR Director & Founder

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My aim as a qualified CMC mediator and HR consultant is to facilitate an informal, speedy solution to workplace conflict. Mediation provides a confidential and safe space for participants to recognise issues and take responsibility for their actions. Enabling such an effective means of resolving conflict is extremely rewarding.”

Kerri Astley, Mediator & Senior HR
Consultant, Birch-HR



Ministry of Justice, bullying and harassment: a judgement call

“Sometimes certain behaviours can be perceived as discrimination, harassment or bullying, when that is not how they were intended. Mediation can be a good way to help and the mediator can advise the parties accordingly”

We are ready to help mediate any workplace or commercial dispute you need assistance to resolve. During our initial complimentary, consultation call we provide an assessment of the dispute, to determine if mediation can help you.