

## Information for people going through mediation

### How does mediation work?

'Mediation' is a process by which an impartial, trained person helps two or more people in a dispute to talk about their situation, exchange their concerns, and come up with ideas about how to move the dispute forward. What is discussed in mediation is confidential, and there are ground rules to help people feel confident and safe enough to communicate their needs, feelings and concerns.

If you take part in mediation, you and the others involved will be asked to:

- Be open about how you feel, what the problem is, and what you want
- Listen to the other person/people
- Think about how things could be improved in the future
- Try to understand and accept the other people involved.

The mediator will:

- Ensure that everyone has equal opportunities to communicate (speak and listen), negotiate and work out realistic and fair agreements.
- Create a safe environment, prevent name-calling, abuse or behaviour that prevents people negotiating fairly.
- Not take sides or make decisions for you.

At an individual confidential meeting with the mediator you can:

- Describe the situation from your point of view
- Think clearly about ways of moving the situation forward
- Get to know more about how mediation works and the benefits of using mediation to find a settlement.

A confidential group meeting, at which all parties are present, will then be held, which has five stages, as follows:

**1. Describing the problem**

Each party will have a short time to open with, without interruption, to explain how they see the situation and what they would like to happen.

**2. Exploring the issues**

The mediator will ensure people are clear what the important issues are, checking facts, comparing views of the problem, agreeing what issues can realistically be settled by mediation, agreeing to continue.

**3. Building agreements**

The mediator will explore what people want and what can be done about the situation, working through differences, managing conflict, problem-solving, preparing for decisions.

**4. Making agreements**

The mediator will not make suggestions or tell you what to do. They will help you come up with solutions that everyone is willing to accept. They will help test likely outcomes, clarifying what will happen next, and thinking about what if something goes wrong?

**5. Closure and follow-up**

Ending the session, agreeing plans for future contact between the mediator and yourselves, if needed.

## Mediation ground-rules

### These apply to the parties and to the mediators.

In order for you to maximise the opportunities presented by mediation, we ask everyone taking part to agree the following ground-rules:

1. Listen to what each person has to say and speak one at a time.
2. Speak and behave in a non-threatening way; think how you would like to be treated.
3. Be as open as you can about what your concerns are and what you need.
4. Be as specific as you can about what you want to happen, what you can do and what you'd like others to do.
5. Discuss any problems and doubts with the mediator – request a short private meeting with the mediator if you feel you need to.
6. The mediator may pause the mediation or end it if he or she feels it necessary, in consultation with the parties.
7. Keep the details of what is discussed private; the mediation is confidential; notes will be destroyed; things said in mediation cannot be used in court or in later internal procedures.

A mediator will ensure these ground-rules are kept, so that everyone is comfortable about taking part.

For more information about Business Disability Forum's mediation services please contact [adrianw@businessdisabilityforum.org.uk](mailto:adrianw@businessdisabilityforum.org.uk) or visit: [businessdisabilityforum.org.uk/our-services/consultancy/](https://businessdisabilityforum.org.uk/our-services/consultancy/)

---

[businessdisabilityforum.org.uk](https://businessdisabilityforum.org.uk)

Business Disability Forum is committed to ensuring that all its products and services are as accessible as possible to everyone, including disabled people. If you wish to discuss anything with regard to accessibility of this document please contact us.

Registered charity no: 1018463.

**Registered Office:** Nutmeg House, 60 Gainsford Street, London SE1 2NY.

Registered in England under Company No. 2603700