

Mediation at work

When there's a disagreement ('dispute') between 2 or more people or groups, we can try to help both sides come to an agreement. This is called 'mediation'.

Mediation cannot be used if a claim has been made, or could be made, to an employment tribunal about a dispute.

Mediation is held by a neutral person (a 'mediator'). The mediator is impartial. This means they do not take sides. They're there to help both parties find a solution that all the parties agree to.

It's normally used to settle disputes about working relationships. Mediation is not judging who was right or wrong in the past, but looks at how to agree on working together in the future.

Mediation is a quick way to resolve a dispute and is:

- less formal
- flexible
- voluntary
- confidential
- usually not legally binding

In 2018 and 2019, 80% of Acas-led mediations were fully or partially resolved.

1. How mediation can help

Mediation helps to mend workplace relationships by:

- finding solutions that everyone agrees to
- improving communication between both sides of the dispute
- allowing both sides to have control of what's finally agreed

There are many benefits of mediation. For example, mediation can help to:

- reduce stress
- keep valuable employees
- avoid more formal processes, such as going to court
- stop more grievances being raised

- avoid paying high costs, for example, employment tribunal claims

Mediation outcomes are decided by both sides and can be flexible. Outcomes might include:

- an acknowledgement of each party's views
- a commitment to change behaviour
- a commitment to regularly review the agreement reached
- an agreement to review policies and procedures
- an agreement to share work more fairly and provide more responsibility

A voluntary and confidential process

Mediation is voluntary. At the first meeting, a mediator will talk to you about what happens in mediation so you can decide if it's for you. If you decide you do not want to mediate, they'll tell your employer mediation is not possible.

Mediation is also confidential. The mediator will agree with both sides which information can be shared outside the mediation and how. If you do not reach an agreement, anything that's been said during the mediation must be kept confidential and cannot be used in future procedures.

When mediation can be used

Mediation is used to resolve disputes about workplace relationships rather than other disputes, such as pay or issues related to dismissal or conduct.

You can use mediation to resolve:

- bullying and harassment
- communication problems
- personality clashes
- relationship breakdowns

When to start mediation

It's a good idea to try and resolve the problem informally first, before thinking about using mediation.

[Find out how to raise a problem at work.](#)

If the problem cannot be resolved informally, you can use mediation. Mediation can be used at any stage in a dispute, but it's best to start it as soon as possible. The earlier the dispute is dealt with, the less chance there is of things getting worse.

You could also use mediation to rebuild relationships after a disciplinary or grievance process.

Cost

The cost for mediation is usually paid for by the employer but the cost can also be shared or paid for by the employee.