

Resource 28: Mediation steps

Pay attention to seating

When talking to both parties, either one-to-one or both at the same time, make sure that all of you are in 'equal positions' (ie, same sized chairs, all round a table or no-one at a table). Make sure that everyone can comfortably maintain eye contact.

Have a large white board or flip chart

Use this to map issues and write details of the problem and possible solutions.

Decide on timing

Decide how long each session should last, and don't go past the agreed end-time.

Clarify the role of the mediator

Remind them that you are not sitting in judgement, but are there to assist the parties involved in reaching a mutually satisfactory agreement, thus resolving the dispute.

Discuss confidentiality

Make it clear that anything they tell you during a one-to-one discussion is confidential, and can only be passed on to the other party (or anyone else) with their prior permission.

Clarify agreements and further action

Write down any mutually satisfactory agreements for further action. If you can get them to sign a copy of this agreement, so much the better. But remember, this is not a legally binding document – it's an expression of their intention to give it a go.

Ask participants to use 'I' statements

People involved in a dispute will often believe that they are passive victims of an uncontrollable situation. This can manifest itself in their inability to use 'I' statements. Ask them to take ownership of the situation by using 'I' wherever appropriate.

Define the focus

Make it clear from the start what you want to cover during the meetings, both individually and all together. Although it's vital you listen to both parties' accounts, the focus should primarily be on future behaviour and action. The process should not be about conducting extensive post-mortems on past events.

Make sure that the disputees participate equally

Try to spend the same amount of time with each person in your initial one-to-ones. Then, when you all get together, make sure that they get the opportunity to speak for roughly the same amount of time.