



University of
St Andrews

Resolution policy

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Purpose	To assist those in conflict or disagreement to seek resolution using informal means.

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1.0	New policy.	Published	Ruth Unsworth Head of Mediation & Wellbeing	20/05/2021

British Sign Language (BSL) users can contact the University via the online BSL Video Relay Interpreting Service: <https://contactscotland-bsl.org>.

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1. Policy statement

- 1.1 The University recognises that conflict and disagreements can arise in every dynamic, progressive organisation. The University is committed to fostering mutual respect and understanding within the whole community and therefore seeks to resolve issues in a manner that supports positive working relationships.
- 1.2 The University supports mediation as a process that provides space, time and support to people within the University community to transform difficult relationships. The University's application of recognised mediation processes aims to help those in conflict or disagreement participate in conversations that would be too problematic to hold constructively without a trained, impartial mediator.
- 1.3 The University recognises its leadership role and its supportive, socially responsible stance in our communities and region. It is therefore committed to advancing the principles and benefits of mediation through student programs, voluntary service, and partnership with government agencies, where this is appropriate.

2. Core principles

- 2.1 This policy reflects our values of diversity and social responsibility. It draws upon the principles of diversity, dialogue, fairness, mutual respect, collaboration, and timeliness.

Principles	
Diversity	<p>Diversity is a strength when it is acknowledged and celebrated. Diversity involves appreciating our interdependence, mutually respecting qualities, and characteristics different from our own and building alliances across differences.</p> <p>The Mediation Service provides a non-judgemental, safe framework for individuals and groups to step outside their familiar beliefs and groupings to consider how new partnerships might form and effect change.</p>
Dialogue	<p>Mediation asks people from different perspectives or groups to come together to speak about their experience and to search for positive change.</p> <p>Mediation provides a framework for building dialogue between individuals and groups of people to help to resolve disputes, conflicts, and complaints.</p>
Fairness	<p>Difference is to be celebrated, except when the difference is based on inequality.</p> <p>The Mediation Service provides a means, during conflict resolution, of ensuring the governance and management structures of the University do not hold inequality in place. Mediation offers individuals and groups of people access to a fair and dignified approach for addressing disputes, conflicts, and complaints.</p>

Mutual respect	Recognising that disputes, conflicts and complaints can be challenging, the Mediation Service promotes a respectful approach to resolution.
Collaboration	The Mediation Service actively encourages participants in a dispute, conflict, or complaint, to work together to identify, agree and implement a mutually acceptable shared solution.
Timeliness	The Mediation Service will seek to respond to disputes, conflicts and complaints in a prompt manner.

3. Purpose

- 3.1 This policy supports an institutional commitment to the resolution of conflict or disagreement at the earliest possible stage. It introduces mediation as an effective, informal means of resolving disagreements and conflict at an early point when front-line informal resolution has not been possible.

4. Scope

- 4.1 Mediation may be recommended by University management, staff, or students. Mediation is available to all staff, students, and members of the public where conflict or disagreement have arisen. Where issues of complaint are raised via the [University Complaints Handling Procedure](#) (“the CHP”), mediation may be offered as an alternative to formal complaint investigation, with a view to resolving issues. If resolution via mediation is attempted, but not possible, then the CHP can be reengaged, where the issue is one eligible for investigation in that procedure. Typically, the CHP is only available to staff where they use services from the University which are also available to the public.
- 4.2 Subject to the voluntary agreement of both parties, this policy may also be used to guide conflict resolution processes related to other issues or in other contexts. This includes external mediations undertaken by the [Mediation Service](#) and the work undertaken by postgraduate students, under supervision, as trainee mediators.

5. Alignment with strategy and policy frameworks

- 5.1 This policy expresses the institutional commitment to using mediation as an effective, informal but structured option for resolving disputes as an alternative to more formal procedures such as, but not limited to, grievances, complaints, disciplinary processes and where the issues to be addressed are appropriate and suitable for resolution by this process.
- 5.2 This policy actions the [People Strategy](#) (*performance measures: 3.3 “to increase mediation/local resolution to disputes”*). It complements the University [Equality, Diversity & Inclusion Policy](#), [Dignity and Respect at Work policy](#) and [Student Harassment and Bullying policy](#).
- 5.3 This policy aligns with the conflict resolution approaches recommended by ACAS and with the Scottish Public Services Ombudsman Higher Education Model Complaints Handling Procedure (2020) (para 53).

6. Applications

6.1 Wherever possible, the resolution policy places responsibility for the resolution of conflicts and disputes directly with the people involved. The resolution policy is suitable for the following types of issues in the staff and student environment when both parties are willing to enter into mediation:

- Disagreements and disputes between colleagues and peers.
- Disagreements and disputes within or between teams.
- Disagreements and disputes between managers and members of their team.
- For issues that are eligible for investigation under the CHP, mediation can be used as an alternative means to resolve such complaints.
- Concerns or complaints about allocation or distribution of resources.
- Concerns or complaints about actions or inactions of the University; working practices; the work/study environment; and or equality of opportunity.
- Disputes between local trade unions representatives and managers.
- Allegations of bullying or harassment.
- Disagreements and disputes in our local and regional community, for which the University may provide mediation support through supervised student programmes, voluntary service, and partnership with government agencies.

7. Exclusions

7.1 Mediation is not appropriate for the resolution of alleged criminal activities, or in addressing breaches of Health and Safety when dangerous working practices are alleged.

7.2 As a process that is voluntarily entered into by both parties, mediation has no possible role or impact on existing frameworks for legitimate decision making or University policy implementation.

8. The Mediation process

8.1 The [Mediation Service](#) is provided by an in-house mediation team which has completed a mediation training programme accredited by Scottish Mediation or an equivalent. This team of current employees represents a range of departments, grades, and experiences.

8.2 University staff and students can contact the mediation service directly by email mediation@st-andrews.ac.uk. The service will arrange a time to discuss if mediation is suitable. Members of staff can also be referred to the service by their line manager or by [HR](#). Students can be referred by staff in academic schools or by [Student Services](#) or other professional units in the University. Members of the public may be referred by the [CHP](#) or by other units or schools within the University.

8.3 The mediator (with permission) will inform the referrer if the request for mediation has been accepted.

8.4 The mediator will invite any other parties identified as involved in the disputes/conflicts where this has not already taken place at the point of referral.

8.5 If mediation is accepted by all participants, the mediator (or mediation team) will meet with each party separately initially, with a view to holding a joint mediation meeting (taking into account any reasonable adjustments). This joint meeting will:

- open dialogue;
- understand the different perspectives of the situation;
- consider underlying feelings;
- explore possible options;
- help those involved find a mutually agreeable outcome.

8.6 Other options for resolution may include:

- coaching, which provides a safe space for managers and leaders to reflect on their own approach to conflict and change;
- team or group mediation, neutral facilitators to ensure all participants have a fair opportunity to engage with the process. The team or group mediation is confidential in that participants agree that nothing that is said during the team or group mediation will be disclosed to others.

8.7 In the event that mediation proves unsuccessful in resolving the issues, staff members have access to the [Grievance procedure](#) and students or members of the public, the University [Complaints Handling procedure](#).

9. Impartiality and confidentiality

9.1 A mediator will not mediate in situations where they have had prior involvement that indicates there may be a conflict of interest. In these circumstances another mediator will be identified.

9.2 Within the standard limits of the law, everything discussed throughout the mediation is kept confidential. This means that anything already known to a participant can still be raised in other resolution processes if mediation is unsuccessful, but new information shared by the other participant in the safe spaces of the mediation process may not. To put this into practice, participants are asked to agree a standard confidentiality statement - Mediation agreement privacy information.

9.3 As mediation is an informal, voluntary, confidential service and is without prejudice, notes are not recorded on staff or student's HR or personal record at the University.

9.4 Mediators are reflective practitioners and may use anonymised examples from mediations in supervision, peer supervision or training.

10. Complaints

10.1 Should a participant be dissatisfied with the Service provided, they should contact the Head of Mediation to seek front-line resolution, in alignment with the CHP.

10.2 If the Head of Mediation is unable to resolve the matter, or if the complaint relates to the Head of Mediation, the complainant may follow the relevant University procedure e.g. [Dignity and Respect at work](#), [Grievance](#) or the [CHP](#).

11. Version control

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1.0	New policy.	Published	Ruth Unsworth Head of Mediation & Wellbeing	20/05/2021