

## Mediation Review - Update

### Report of the Chief Fire Officer

For further information about this report please contact Alan Taylor, Chief Fire Officer, on 01743 260225 or Natalie Hill, Equality and Diversity Officer, on 01743 260236.

#### 1 Purpose of Report

This report provides the Human Resources (HR) Committee with an update on progress regarding the agreed actions to implement an external mediation provider.

#### 2 Recommendations

The HR Committee is asked to note the contents of the report.

#### 3 Background

At their meeting on 26 February 2009 the HR Committee agreed that mediation should be provided through an external provider. The HR Committee agreed to the following actions and points that should be included in the new scheme:

- Sourcing a provider
- Review of budget requirements
- Mediation policy produced to include; confidentiality statement, referral forms, agreement forms, outcomes form, evaluation questionnaire
- Arrange training for managers
- Ensure understanding of staff and managers
- Yearly review of effectiveness of scheme
- Yearly review of provider

The implementation of this process and scheme is estimated to take up to six months.

## **4 Current Situation**

Since the recommendations have been agreed the Equality and Diversity Officer has started to undertake research on an external provider to undertake mediation, to discuss each of the services they provide and has met with:

Conflict Management Plus; and  
Mediation Works

A meeting is being arranged with ACAS.

When this has been completed an analysis will then be undertaken on which is the most suitable provider for Shropshire Fire and Rescue Service (SFRS). This will take into consideration such information as:

- Availability of mediators
- Timescales
- Types of mediation available
- Qualifications/training
- Cost
- Support
- Success rates

When all providers have been met and any outstanding questions have been answered a provider will be recommended and a new mediation policy will be written which includes the details of this provider and the process detailed that all staff have to go through to use this service. This will also include the stipulations that the HR Committee wish to be included.

## **5 Financial Implications**

We have consulted with the Principal Accountant and are confident that these costs can be met from within existing budgets.

## **6 Legal Comment**

Mediation is a completely voluntary and confidential form of alternative dispute resolution. The overriding aim of workplace mediation is to restore and maintain the employment relationship wherever possible.

Agreements reached through mediation are not legally binding in respect of any potential claim to an employment tribunal, but, because of the voluntary and inclusive nature of the process, any positive outcome arrived at tends to be respected by the parties.

## **7 Equality Impact Assessment**

An Initial Equality Impact Assessment has been completed and is attached to this report.

## 8 Appendices

There are no appendices attached to this report.

## 9 Background Papers

Human Resources Committee  
26 February 2009, Report 4 – Mediation Review

Implications of all of the following have been considered and, where they are significant (i.e. marked with an asterisk), the implications are detailed within the report itself.

Balanced Score Card		Integrated Risk Management Planning	
Business Continuity Planning		Legal	*
Capacity		Member Involvement	
Civil Contingencies Act		National Framework	
Comprehensive Performance Assessment		Operational Assurance	
Efficiency Savings		Retained	
Environmental		Risk and Insurance	
Financial	*	Staff	*
Fire Control/Fire Link		Strategic Planning	
Information Communications and Technology		West Midlands Regional Management Board	
Freedom of Information / Data Protection / Environmental Information		Equality Impact Assessment	*



Directorate	HR, Training and Dev	Department/ Section	HR
Name of officers completing (minimum of 2)	Natalie Hill and Lisa Vickers	Job title	Equality and Diversity Officer & HRM
Name of Policy/Service/Activity to be assessed	Mediation review	Date of assessment	27/01/09
New or existing policy	E		

**1)** Briefly describe the aims, objectives and purpose of the policy/service/activity (referred to as policy in document) and also consider the following:

- What are the key performance indicators?
- Who is intended to benefit or be affected by it? (is this positive or negative)
- What outcomes do you want to achieve from this policy?

This report details the current situation regarding our internal mediation process, the mediation process is an informal way of resolving low level conflict within the organisation. Internal staff receive this service as an informal process, the purpose of this is to resolve issues efficiently and effectively so that all parties are happy with the outcome and can work together. Effective mediation will reduce the number of grievances as they will then not proceed to this stage.

The outcome of this report is to suggest recommendations that are effective and cost efficient for both employees and for SFRS.

**1 a)** Who implements this policy? Currently the EDO/HR and line managers will suggest mediation for those staff that require this, it is currently undertaken by staff that have been trained internally.

---

**2)** How does your current policy meet the needs around age, disability, race, religion/belief, gender, sexual orientation and caring responsibilities?

Are there any obvious barriers to accessing the service? E.g. physical or other.

No current barriers regarding this service with regard to any of the 6 strands. This report is reviewing the process and when a new policy is written an impact assessment will also be undertaken on this.

The only barriers to the service are that there is not a mediation policy at present and so the creation of this will make the mediation more accessible to all staff.

**2a)** Where do you think improvements could be made?

Internal improvement to process but not affecting the 6 strands

**2b)** Have issues of equality been identified in this area of service delivery by SFRS?

Not equality issues, but areas regarding timescales.

<p><b>3)</b> Have we had any specific feedback or complaints on this area?</p> <p>Is there evidence that this has come from any of these specific groups: race, gender, disability, religion/belief, age, sexual orientation, caring responsibilities?</p>	None to date.		
<p><b>3a)</b> Do we have any feedback from managers or frontline staff on this policy?</p>	In some cases mediation has not worked for all people and needs to be implemented at a much earlier stage.		
<p><b>3b)</b> Is there any feedback from voluntary/community organisations?</p>	n/a		
<p><b>3c)</b> Is there any research / models of practice that may inform SFRS view?</p>	Research has been undertaken with other fire services and external organisation regarding mediation best practice along with ACAS, CEHR for their recommendations in this area. External providers have also been contacted regarding their external mediation schemes.		
<p><b>4)</b> Detail the Actions / Improvement areas you have identified, or the need for further research. (These must be put onto the Action and Improvements Form <b>FB 367</b> for consideration by Steering Group)</p> <p>If you have found considerable actions or research this will require you to proceed to a full assessment.</p>	None for equality but improvements to the mediation scheme as per the recommendations in this report.		
<p><b>5)</b> Should the policy now proceed to a full impact assessment?</p>		N	None identified that link to equality.

**I am satisfied that this policy has been successfully impact assessed. I understand the Impact Assessment of this policy is a statutory obligation and that, as owners of this policy, we take responsibility for the completion and quality of this process.**

Line Manager	Lisa Vickers	Date	05/02/09
Please note that this impact assessment will be scrutinised by the Equality and Diversity Officer.			

**Appendix D**

**Equality Impact Assessment Actions and Improvements Form**

When you have completed the Equality Impact Assessment a number of actions or improvement areas will have been identified, it is important that these are captured and put into normal work activities. In some cases there maybe a few small actions required in other cases you will need to process to a full impact assessment, you will need to complete this form for both of these situations when you identify actions that need completing, or have identified that future investigation will require specific resources that need to be put into the business planning process.

This form is to allow you to record the outcome from your impact assessments so that the actions or improvements can be carried out by your Department and monitored and in some cases approved by the Equality and Diversity Steering Group. Please ensure that this form is given to your line manager for discussion at your team or one to one meetings for incorporation into individual work plans.

<b>Directorate:</b>	<b>Department:</b>
<b>Brigade Order/activity that has identified need, issue/objective:</b>	<b>EQIA No:</b>

Action	Comments inc. Details of Consultations required/carried out	Resources / Finances allocated to this objective/target	How will this be monitored to ensure it is effective	Responsible for this action	Due Date	Progress

<b>Head of Department</b>		<b>Date completed</b>	
---------------------------	--	-----------------------	--

This form must be sent to Management Support when completed for monitoring and/or consideration by the Equality & Diversity Steering Group