

# Mediation

Commercial

Family

Workplace

Community

Student



## Alternative Dispute Resolution

**At Mediation & Counselling NI we help families, business & customers and work colleagues to resolve difficult situations in a mutually agreeable way.**

**Mediation & Counselling NI offer a potentially faster and effective way of dealing with conflict and reaching resolutions that both parties agree on.**





# What is Mediation?

Mediation is a method of dispute resolution. Mediation can be used to resolve disputes in any domain e.g. family matters (inheritance, separation, divorce), workplace, community, commercial, legal, church, contract, debt and boundary etc. If you decide to use mediation, you will meet with one of our qualified and accredited family mediators who are trained in working with difficult situations. The mediator will act as a neutral third party in helping you to resolve disputes, reach agreements and make informed decisions by negotiation and adjudication. It is your decision whether or not you attend the mediation session by yourself or with the other disputant(s). When you schedule your first meeting with one of our mediators we will talk to you about who will be attending the meeting and any concerns you may have.

## **Mediation gives you Control**

Mediation increases the control you have over your resolutions. The mediator will not make any decisions with regard to your issues. Mediation is your process and your outcome.

## **What is a Mediator?**

A family mediator is a third party who assists parents to resolve disputes and reach agreements. At Mediation & Counselling NI skilled mediators are trained in techniques to initiate communication between parents and keep that communication ongoing until both parents agree on decisions and arrangements.

## **Mediation is Private and Confidential**

Mediation is a completely private and confidential process, meaning only you and the mediator know

that you are using our mediation services. The only exceptions to confidentiality involve child abuse or actual or threatened criminal acts.

## **Mediation helps Find Resolutions Faster**

The mediation process aims to resolve your matters as quickly as possible and therefore generally takes much less time than moving a case through legal channels.

## **Mediation can Reduce your Legal Costs**

The mediator will record your decisions in a document called a Memorandum of Understanding. You will only need a solicitor if you wish to make this document a legally binding agreement.



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### **Mediation is Voluntary and can lead to Workable Agreements**

When you make the decision to use mediation you have already made the first step towards an amicable resolution. Because you are in control of the resolution and have worked together to produce an agreement that all parties are happy with, there is a higher chance that all parties will comply with the agreement. This further reduces your costs as you don't have to go to court to get the terms of the agreement enforced.

### **Is Mediation Successful?**

Research has proven the effectiveness of mediation is resolving disputes outside the court system with lower costs and a quicker conclusion. The success of mediation can be attributed to the fact that the parties involved remain in control of all decisions made and mutual agreements are put in place.

### **When is Mediation Appropriate?**

The method of mediation can be employed at any time during a dispute.



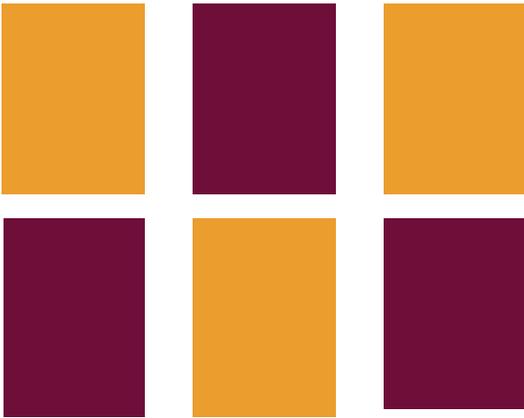
# Commercial Mediation

**Mediation can help you to preserve relationships with your customers.**

Disagreements are a normal part of business and in many cases can be managed successfully with mediation so that your customers remain your customers. Mediators at Mediation & Counselling NI can help you to engage with your customers in a way that facilitates the resolution of your dispute while keeping you in control throughout the process.



For more information on how this process can work for you call Mediation & Counselling NI on 028 9023 7482 or email [info@mediationandcounselling.com](mailto:info@mediationandcounselling.com)



# Family Mediation

## Family disputes affect everyone.

Mediation can be used in a variety of family matters e.g. separation, divorce, inheritance etc.

### Separation and Divorce

Separation and divorce is extremely difficult for children. When this happens a child's world transforms into a strange and often frightening place where many things no longer make sense to them. As two parents embark upon the process of separation and/or divorce, it is imperative that their children are supported throughout the entire process. The adverse affects of separation and divorce can manifest in other areas of a child's life e.g. performance at school, relationships with others and also their relationship with one or both of their parents may change. A child may become hostile towards one parent or extremely clingy to a parent. From a child's perspective it is extremely distressing to see or hear their parents fighting, to see one parent moving out

of the family home, to witness physical violence or endure the onslaught of emotional abuse. Mediation can help parents to protect their children and their relationships with their children during separation. Mediation can help parents to recognise the child's point of view and appreciate the damaging affect that their actions has on their children.

### Shared Parenting

Shared parenting is method of parenting adopted by separated parents which involves both parents engaging in a collaborative effort to look after the best interests of their children. This method of parenting can help parents to focus on the needs of their children and empathise with them as they adapt to their new world.

### Other areas of Family Disputes

Mediation can be effective in helping family members to negotiate and reach agreements.

# Workplace Mediation

## What is Conflict Costing your Business?

### How does workplace conflict affect your business?

When conflict between parties within the workplace isn't dealt with appropriately or isn't addressed at all, this unresolved conflict can have a devastating impact on the parties involved, other members of staff, teams and to the organization. Unresolved workplace conflict can be extremely costly for an organization e.g. legal costs or if someone resigns there are recruitment costs. It can also cause knock on effects on others e.g. loss of morale, absence and lack of performance. Other negative affects include; stress, frustration, anxiety, loss of sleep, strained relationships, grievances and litigation, loss of productivity, increased client complaints, sabotage, injury and accidents. If you or a member of your workplace is experiencing a level of conflict at work, workplace mediation offers you a potential solution to maintain relationships between people at work.

### Turn Workplace Conflict into an Asset to your Organisation

The workplace is filled with people who have different opinions, interests and needs. Therefore it is inevitable that conflicts will occur. When conflict is managed correctly through mediation, there may be opportunities for identifying problems, areas for improvement, creativity and collaboration.

**“Mediation is particularly attractive because it can help people to settle their differences without necessarily causing lasting damage to their relationships.”**

**Justice Minister, David Ford**



### What is Workplace Mediation?

Workplace mediation is a process where an impartial mediator meets with everyone involved to discuss the nature of the conflict with an employee and employer or two or more employees. The mediator will speak with each person individually and then collectively. The mediator is skilled in facilitating constructive discussion and helping all parties to move towards a resolution. The mediation will not make judgments or decisions but rather assist the parties to ask questions and obtain clarification in order to understand issues and move forward towards resolution.

### Mediation is Voluntary

If an employee or an employer does not want to participate in mediation they are not compelled to do so. Also, all parties must agree on the resolution.

# Community Mediation



## What is Community Mediation?

Community mediation is a method of alternative dispute resolution, which can be employed to deal with local conflict and disputes between neighbours, groups within a community and across different communities. Community mediation involves a mediator(s) meeting with all parties involved in the dispute. The mediation process follows a strategic structure.

The mediator will meet with each group separately to give each group an opportunity to have their say and while the mediator plays an impartial role, the mediator will encourage positive discussion and constructive thought processes. The mediator is skilled in facilitating progression and helping people to explore new ideas and concepts that include the other party's points of view. It may be necessary for each group to engage in a number of sessions with the mediator until they have reached a stage in the process where they are prepared and willing to meet with the other parties.

All parties will come together in a neutral, safe and non-judgemental environment. The mediator will facilitate productive discussion and help keep dialogue moving forward. The mediator will take note of significant points raised by the parties and encourage the group to talk about them.

## Preventative Measure



## Preventative Mediation

Community mediation can also be used to prevent potential conflict. When problems among members of a community are recognised in the early stages, mediation can help to prevent conflict from escalating. Mediators at Mediation & Counselling NI are skilled in facilitating constructive discussion with a view to finding a mutually acceptable resolution. The people involved in the dispute remain in control of the process and must agree on all decisions made. The mediator will use this solution-focused approach to empower the parties involved in the dispute to find their own resolutions. This increases the prospect of the parties observing the agreements. During the process the mediator will demonstrate communication and listening skills and facilitate the forum in a way that encourages all parties to listen to others and communicate in a respectful manner. This not only helps people to develop their social interaction skills, but also helps to build relationships.

Mediation is voluntary and anyone can leave the process at any time. Legal advice can be sought at any stage of the process. Mediation is also confidential with the exception of disclosures relating to harm to self or others, a child protection issue, or actual or threatened criminal acts. Mediators at Mediation & Counselling NI exercise confidentiality and operate within a robust professional and ethical ethos.

# Student Mediation

## Supporting students and staff



There are plenty of situations in which students may find mediation useful. Various life and academic experiences can cause conflicts between students, staff and the University or College. Many issues and misunderstandings can often be quickly and confidentially resolved via mediation, without a need for the process to become 'formal'. Although not for everybody or suitable and for all types of complaints, mediation can help to resolve many types of disputes.

The following are examples of the kinds of situations in which students may wish to engage in a mediator:

- The student feels that the University or College processes or systems have failed in their case or been unfairly applied,
- There is a personality clash between the student and a tutor or academic supervisor,
- The student has fallen into a dispute with friends or classmates,
- The student has fallen into a dispute with a member of staff,
- The student or staff member feels they are in a difficult working environment,
- The student feels he or she is unable to communicate problems to anyone,
- The student believes he or she is the victim of bullying and/or harassment.

Students may also approach a mediator for general advice in terms of whether or not mediation is a potential option.

Mediators do not intervene in matters of academic judgment, as opposed to errors or failures of process, or unfair application of them. Mediators at Mediation & Counselling NI are independent from any management or other institutional influence and will seek to resolve disputes fairly and impartially.

As well as seeking to resolve individual issues, we will identify any common themes arising from matters on which they have been invited to act, and draw these to the attention of the appropriate bodies in the University or College for resolution.



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