

## IATL funded project: Mediation

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In February 2021, I was extremely grateful to be awarded £1500 by IATL to run a HEAR-accredited five-day online sprint training course which would lead to professional accreditation as a mediator for a mixed cohort of staff and students, with the wider ambition that this seed money would enable the establishment of a mediation service at Warwick to train and serve staff and students, and eventually the local community.

I am delighted to say that fewer than eight months later, Warwick Mediation was born.

A promotional poster for Warwick Mediation. The top features the word 'WARWICK' in large, bold, yellow capital letters, with 'mediation' written in a white cursive script below it. The main title 'Peer mediation service' is in yellow, followed by the subtitle 'Helping Warwick staff and students resolve conflict' in white. The poster is flanked by two images: a woman with purple hair and glasses on the left, and a man with curly hair on the right. The central text is divided into two columns: 'ABOUT US' and 'WHAT WE OFFER'. The 'ABOUT US' section states that trained, impartial peer mediators can help facilitate difficult conversations in a safe, non-judgemental space, and that the process is voluntary with the outcome decided solely by the participants. The 'WHAT WE OFFER' section lists: free, confidential, impartial support to resolve conflict; students mediate student issues; staff mediate staff issues; and a referral for an informal conversation. At the bottom, it says 'FIND OUT MORE:' followed by a globe icon and the website 'warwick.ac.uk/mediation' in yellow.

Warwick Mediation offers accredited mediation training to Warwick staff and students to enable them to provide peer mediation to Warwick staff and students. Successful course participants would achieve nationally recognised accreditation from the Civil Mediation Council (CMC) enabling them to practice as mediators if they wish. Feedback on our training and our mediation service has been excellent. Our success has been shared widely at national and international conferences, leading to an international inter-institutional research project with a student mediation service in a university in India, the development of a community of practice with other mediation clinics in the UK and the participation of Warwick students in national and international (albeit virtual) mediation competitions. The training has now been given accreditation by the International Mediation Institute, which is particularly valuable to those who wish to have international recognition of their abilities as mediators.

### Why I applied for IATL funding

I was very keen to introduce the study and practice of mediation into the Warwick student experience to foster community relations at Warwick, improve student experience and enhance graduate outcomes.

Mediation is a growing area of legal and business practice due to the stress, cost and delay of court action. Many businesses and human resource departments are turning to mediation to manage disagreements that arise with customers or employees. Mediation qualifications are highly prized by employers, particularly law firms, as they enable holders to practice commercially as mediators, a growing area of legal work (often charging fees of around £1500 per day). Mediation courses also enable participants to develop a high level of desirable transferable skills, such as active listening, creative problem solving, rapport building, interviewing skills and conflict management, as well as empathy and reflection. The course itself is a blend of asynchronous study and active, performance-based skills training and roleplay.

I also wanted to test the delivery of an interdisciplinary, experiential, innovatively assessed extra-curricular mediation short course which would be available to UG/PG Warwick students and to staff from all disciplines. I wanted to see how a mixed cohort could learn together.

### **The creation of Warwick Mediation**

Once a cohort of students have been trained to be mediators, a longer-term aim of the project was to create a mediation clinic, co-delivered by trained staff and student peer mediators, to help resolve conflict involving students and/or staff. There is a model for a mediation clinic running at the University of Central Lancashire (see [here](#)). I am a dually accredited CMC and IMI mediator, trained by the mediator who developed the UCLAN clinic, Emma McAndry of [Essential Mediation Solutions](#), and she has been instrumental in co-training and assessing course participants and establishing Warwick Mediation.

Here is a short [video](#) about how we created Warwick Mediation.

### **The relevance of mediation training to students**

In recent years, there has been strong calls from judges in the Supreme Court and from Government for mediation to play a much larger role in the court process. Parties may be penalised in costs if they do not engage in mediation before proceeding to a court hearing. Employers have also found that mediation can deescalate workplace issues that may otherwise result in loss of productivity and poor staff morale, employee absence, grievance proceedings and litigation.

Becoming more and more important in the legal process and in employee relations, mediators do not need to be legally trained. For students, the study of mediation offers great opportunity for breadth of learning and enhanced employability skills.

### **The importance of mediation support to students and staff**

The provision of mediation to settle student and staff disputes fulfils an important need for informal dispute resolution, offering an alternative to doing nothing and letting disagreements fester or engaging in a formal process such as a complaint or grievance, which by its adversarial nature often causes harm to participants and further breaks any relationship between them, making future contact more difficult. This is particularly unfortunate when participants must continue to live, study or work together.

Warwick Mediation works with existing teams, such as Wellbeing, Human Resources, the SU advice centre and student discipline and complaints, to offer free, impartial, confidential peer mediation. Staff and students can also self-refer to through the webpages or email address.

The expectation is that the service will foster community, improve student and staff wellbeing and experience, reduce formal complaints, grievances and disciplinary actions, and increase retention.

### **More detail about the Mediation sprint course**

The short course runs online over five half days and consists of a mix of asynchronous material to pre-read with synchronous group sessions where, alongside a CMC co-trainer, I engage students in discussions and role play. The CMC require a CMC trainer for every 6 students on the course therefore creating an intimate learning experience.

#### **Day one**

We explore the theory and practice of conflict resolution and some of the barriers to its operation in practice. We explore the practice of mediation as one form of conflict resolution and its development in litigation and in the workplace. We set this in the context of other forms of resolution, such as restorative justice and arbitration.

#### **Day two and three**

Participants take turns to be mediators, disputants and observers, working through all the steps of the mediation process.

#### **Day four**

Participants are assessed in a mediation role play. If successful, they are awarded EMS accreditation which enables them to practice as mediators.

#### **Day five**

Students are supported to work in groups of three to record role plays which are then assessed for CMC accreditation purposes. Participants are also encouraged to complete a reflective journal over the course of the week which is submitted, together with the recording of the role play to enable them also to gain IMI accreditation.

### **Evaluation of the mediation course**

The seed funding from IATL tested the concept of sprint online mediation training to a mixed cohort and since February 2021, six courses have been delivered.

Participants engage in formative role-plays and self-reflection, using well-defined assessment criteria to assess their own and others' participation.

This course provided pedagogic lessons in using role play in online teaching and as a form of assessment, reflection, peer learning and peer assessment has been shared in national and international conferences.

In addition, staff and students learn together, and this has worked very successfully, enabling each group to get to know each other as individuals. The traditional hierarchies that often exist in the teaching space are flattened, as everyone learns and practices new skills together.

Some feedback:

#### **Academic member of staff**

The course had a clear, easy-to follow structure, the material provided was of very high quality and the delivery was excellent. It was in equal measure enjoyable and challenging, which is not an easy feat. The integration of conceptual background and practical application was seamless. Emma's knowledge, experience and enthusiasm for the subject was invaluable.

I was definitely pushed out of my comfort zone, but in a way that helped me to develop skills that I did not have previously. I feel I learned more in the last 4 days than I have in the last 12 months! And I have not only learned much about mediation but also how to deliver a successful online course.

This week was the highlight of my academic year!

#### **Professional Services staff member**

I do not usually meet students in my work and it was great to work alongside them and learn together.

#### **Student**

The course is very practical in a sense that it helps me to equip with the necessary skills to act as a professional mediator. I just could not believe that I am able to complete the course and assessments without struggling too much.

Emma's teaching style is simple and direct, but also very enjoyable. She taught all the skills and techniques in a manner that can be easily understood by students. The practical sessions were just wonderful that I had the opportunities to explore my own mediating style and to observe and learn from other course-mates.

The course overall is just amazing and that I feel so rewarding and confident upon completion of the course.

## More information about Warwick Mediation

### Aims of mediation



Resolving conflict through dialogue



Repairing relationships to create a positive and safe community



Emphasis on respect and communication



Move away from adversarial processes such as complaints which can often harm participants even further

### Core features



Voluntary



Confidential



No fee to Warwick staff and students

### Mediation process



**Step one:** referral; assessment by Lead; assigned to mediators



**Step two:** parties contacted; separate meetings with mediators



**Step three:** if parties agree, facilitated discussion with both parties and mediators; any agreement documented

## Why IATL felt like the appropriate place to apply for funding

### 1. IATL's commitment to interdisciplinary education:

IATL is known for its support of others in developing new interdisciplinary offerings. IATL also funds projects which create new opportunities for community engagement. I believed this project could be delivered as an interdisciplinary module, sprint training course for staff, students and community members, and a mediation clinic, resolving issues between staff, students and/or local communities.

### 2. IATL's commitment to international learning:

This online course can be co-delivered with students and commercial partners from outside Warwick, and outside the UK, thus continuing to develop shared practice with Monash and other local, national and international partners.

### 3. IATL's commitment to disciplinary innovation:

This course will create opportunities for alternative forms of assessment and feedback for students, such as student research projects. Podcasts series and student competitions.

### 4. IATL's commitment to emerging practices in HE:

IATL is committed to exploring new methods in the area of student and community wellbeing and anticipating future practices in higher education. I believe that mediation will be a growing area in HE as a means of enhancing student well-being and retention.

## Future plans

Pedagogically, mediation is an area of study where UG and PG students can learn together, alongside non-students too (for example, members of the community wishing to retrain as mediators) which will broaden the reach of the University and the diversity of classes to the benefit of all.

Mediation services are much needed but also very expensive and so the ambition is to extend Warwick Mediation to to the wider community - again extending the reach and impact of Warwick.



Work with community mediators to help solve community problems



Where mediation is not appropriate – restorative conversations



Community building around dialogue