



UNIVERSITY OF WARWICK MEDIATION CLINIC

Mediation Agreement

All Participants must agree to the following in relation to the mediation:

The Mediators

The role of the Mediators is to act as facilitator. The Mediators do not give legal advice or make any judgements or recommendations.

Mediation Process

The Mediators will chair, and determine the procedure for, the mediation. The Mediators will meet with the Participants separately and jointly in order to develop their understanding of each Participant's view, and to facilitate mutual understanding and agreement between the Participants. Private information given to the Mediators during such talks will be confidential unless the Participant involved allows the Mediators to share the information with anyone outside the mediation. No recording or transcript of the mediation will be made.

Confidentiality

Any information produced or received, whether in a document prepared for the mediation or written or spoken during the mediation, is strictly confidential. It can only be used for the purpose of the mediation and cannot be repeated or referred to in any formal investigation, disciplinary or court action or other proceedings. The Participants agree that they will not call the Mediators to give evidence in any formal investigation, disciplinary or court action or any other proceedings.

Confidence will be maintained throughout the mediation process except in the following instances:

1. Where the Participants themselves give permission for the confidence to be broken;
2. Where the Mediators are compelled by a court of law;
3. Where the information received is of such gravity that confidentiality cannot be maintained, for example, where there is a significant risk to the safety of any person or in cases of illegal activity. In these instances, the Mediators will end the mediation.

Any notes taken by the Mediators during the process act solely as aide memoirs for the Mediators and will be destroyed at the end of the mediation process. Notes are not retained on file.



Agreed Outcomes

Any agreed outcomes or future actions emerging from this mediation may be agreed verbally or may be recorded in a written document signed by the Participants, depending on what is acceptable to both Participants. Any documents produced may be kept by the Participants as a record for themselves and, if both Participants agree, may be made available to such departments or persons within the University as the Participants may agree for the purposes of assisting in the implementation of those outcomes or actions. The Mediators will assist the Participants in the preparation of such a document.

Ending the Mediation

The mediation is a voluntary process and the Mediators or any of the Participants may terminate the mediation at any time, but not before discussing it with the Mediators.