

Professional Mediation Services

This info sheet is for employers or employees considering using professional mediation services to aid the resolution of a workplace conflict. Contents include:

- a description of mediation,
- the benefits of mediation,
- what to expect in mediation,
- our expertise in the mediation space,
- FAQs.

What is Mediation?

Mediation is a facilitated, reflective process where an independent mediator helps parties in conflict uncover the core issues and collaboratively develop practical solutions.

Suitable for commercial, civil, and workplace disputes, mediation provides a structured and efficient alternative to formal investigations or litigation.

Why Choose Mediation?

- **Fair and Impartial Process:** Guided by a neutral mediator who facilitates balanced discussions.
- **Restorative Dialogue:** Promotes understanding by addressing miscommunication, mistrust, and misunderstandings behind the conflict.
- **Empowered Outcomes:** Encourages self-advocacy and accountability, leading to greater satisfaction with resolutions.
- **Cost-Effective and Efficient:** Informal and faster than legal proceedings or formal investigations.
- **High rate of success:** Over 85% of disputes are resolved through mediation (source: Australian Mediation Association).
- **Sustainable Solutions:** Strengthens relationships and reduces the likelihood of future conflicts.

How Does the Mediation Process Work?

Pre-Mediation (1–1.5 hours per participant)

- Individual sessions with each party to explore their positions, experiences, and interests.
- Prepares participants for the mediation session, fostering reflection and readiness.
- Ideally conducted 4–7 days before the mediation session.

Mediation Session (approx. 3 hours)

- **Welcome and Briefing:** Facilitated by the mediator to set expectations and create a collaborative environment.
- **Opening Statements:** Participants share uninterrupted perspectives on their experiences and goals for mediation.
- **Agenda Setting:** Led by the mediator to structure the discussion.
- **Interest Exploration:** A free-flowing dialogue supported by mediator interventions to clarify concerns and promote mutual understanding.
- **Private Sessions:** Individual discussions to address unresolved issues or explore potential solutions.
- **Options and Resolutions:** Collaborative development and refinement of solutions, ensuring confidence in mutual agreements.

Role and Skills of the Mediator

Our mediators act as curious, engaged observers, creating a safe and unbiased space for participants to engage in honest, reflective discussions. Through trained facilitation, they help identify core issues, challenge assumptions, and foster mutual understanding. Mediators provide guidance, enabling participants to navigate emotional complexities while remaining future-focused and solution-oriented.

Discover the Benefits of Mediation

Mediation empowers participants to resolve conflicts constructively, improving relationships and fostering sustainable outcomes.

Pauline Tarrant Consulting can provide an option of two accredited AMDRAS National Mediators (Pauline Tarrant & Kate Page), trained through the UWA Mediation Clinic and operating under insurance.

Contact us today to learn how our mediation services can help you navigate disputes effectively and achieve lasting resolutions.

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FAQs: Mediation

How effective is mediation?

Mediation is highly effective, with over 85% of disputes successfully resolved. Skilled mediators create a supportive environment, addressing emotional dynamics and unmet needs to help participants reach meaningful outcomes, even in challenging conflicts.

Is mediation compulsory?

No, mediation is voluntary and works best when all participants willingly and actively engage in the process.

What is the mediator's role?

Mediators act strictly as facilitators, guiding discussions without advising or making decisions for the participants.

How confidential is mediation?

Mediation is conducted on a 'without prejudice' basis, ensuring that information shared cannot be used in court, except as required by law or with participant consent. Mediator notes are destroyed after the process. Any agreements to share outcomes with third parties, such as employers, require informed consent.

How long does mediation take?

The process varies based on the conflict but typically includes separate pre-mediation sessions (1-1.5 hours each) and a mediation session (3-6 hours). Breaks are flexible, and resolutions are more authentic when participants feel heard and understood. Resolution may not always be reached in a single session, with Options discussions progressing only after a shared level of understanding has been reached.

Do I have to attend in person?

While in-person mediation is most effective, online options are available. Legal representatives may attend if both parties agree.

How does mediation interact with legal proceedings?

Mediation can occur during ongoing legal proceedings with agreement from the court or participants. While not a substitute for legal advice, mediation clarifies issues and can influence remedial actions. Settlements may be reviewed by legal advisors before signing.

Are mediation agreements binding?

Agreements are non-binding until signed. Once signed, they become enforceable contracts. Some agreements may include provisions for review and renegotiation.

What if mediation feels too formal?

For workplace settings without explicit conflict, facilitated discussions can offer a less formal alternative, focusing on collaboration and communication.

How do I prepare for the pre-mediation?

To prepare for pre-mediation:

- Reflect on your hopes, desires, fears, and concerns regarding the conflict and the mediation process.
- Consider your experiences and what outcomes you hope to achieve through mediation.
- Be ready to share your perspective openly and honestly with the mediator.
- Think about factors that might impact your ability to engage constructively, such as emotional triggers or communication barriers.
- Take time to focus on what you need to feel heard and understood during the discussions.

The mediator will guide you through these topics during the session, helping you feel prepared and supported for the mediation process.