

Case study



Using mediation at Incommunities Housing Trust

After a period of constant change and high numbers of employee grievances, the housing association, Incommunities, approached Acas to provide mediation. After positive experiences, the organisation has now set up its own in-house mediation scheme to tackle problems at an early stage, and avoid the burden that can result for all parties of following formal grievances. Mediation is helping 'nip problems in the bud' with a view to improving working relationships in an expedient and harmonious way.

The challenge

Incommunities (formerly Bradford Community Housing Trust) was established in 2003 with the transfer of Bradford Council's entire housing stock of 25,000 homes. A dynamic customer-focused approach was sought bringing with it all the challenges of a change programme, particularly for many of the 1,013 manual, craft, clerical, administrative and professional staff who had previously worked under the local authority.

An unsettled period followed when labour turnover rose to over 11% and absence to 5.8%. In 2006/7, some 18% of absence was stress related. The number of grievances and disciplinarys was also high in the first few years.

"We've got a mix of people, some TUPE'D over with long service, (who have been in the role a long time) and new people from both private and public sectors. There is an awful lot of change and a lot of work has been done trying to change the culture of the organisation. We've changed job descriptions, and our expectations are probably different. ... I think all the constant changes often bring tension." HR consultant

The culture was perceived as one in which individuals were quick to put in complaints, and follow the 'formal route' in addressing their concerns.

Introducing mediation

Incommunities decided to seek an alternative approach to handling conflict at work. Management was supportive of introducing mediation, as were the unions (Unison, UNITE and the GMB) – though the latter were keen to ensure that participation should always be voluntary. Acas was approached to provide mediation because 'they are the professionals in the field'.



Acas mediators have been used by Incommunities on eight occasions, mainly where formal procedures proved unhelpful in resolving employee matters. The outcome was positive. Mediation proved a useful method for reducing formality in resolving disputes, and avoiding 'log jams' in working relationships thus enabling people to get back to working together, professionally, with their colleagues. It was also found to free up management, HR and trade union time that had been absorbed in formal investigations.

What works?

For mediation to be a success, participation must be voluntary. Incommunities feel it offers a solution instead of, or as an additional stage to, formal grievance procedures. But mediation is not used where there is a perceived disciplinary offence, and the organisation does not feel it offers a solution to parties who have reached a tribunal hearing stage.

Setting up an in-house mediation scheme

Having established the value of Acas mediation, Incommunities decided to establish its own in-house mediation arrangements. Again, senior managers and the unions were supportive and backed the initiative. An in-house scheme was seen as likely to be more cost effective than buying in the services of an external mediation provider, and besides, HR staff had felt they frequently found themselves acting as mediators but without the training they needed.

Incommunities turned to Acas to provide their accredited training scheme. This involves a course delivered over a five day period, and covering a range of issues:

- Being able to identify where mediation is appropriate
- The skills and behaviours of a mediator
- What does mediation involve, and what are the key stages and tasks
- Managing mediation effectively, and confidently
- Self evaluating mediator performance.

Five HR advisory staff, including the HR Director, together with a trade union representative, have all completed Acas mediation training. All the trainees thought highly of the Acas course and felt that it provided them with a good framework for future mediation sessions.

Incommunities mediation scheme aims to help stop problems escalating and requiring formal investigations, but also to promote more open communications. It is early days for the Incommunities scheme, but the HR consultant felt the training gave them a clear steer on the skills needed for the job.



Incommunities identified a set of attributes for being a successful mediator were:

- empathy
- asking the right questions
- being analytical
- being careful about body language
- and remaining objective and non judgemental.

"We're going to have to work with a script to begin with ... to let people find their own solutions which we may find challenging because as HR professionals we often try to provide solutions".

Confidentiality will be paramount for mediation to succeed. Mediation leaflets have been produced, and templates prepared to assist the mediation process. The material draws heavily on Acas models. There is still some resistance to mediation amongst employees who prefer to 'go formal', but Incommunities hope that confidence will build in the idea of mediation as a positive solution. HR staff and the trade unions are optimistic that the mediation scheme will reduce the number of grievances, reduce the burden of investigations and formal procedures, and improve working relationships.

For more information on Acas mediation, see www.acas.org.uk. *Mediation, An Employers Guide*, can be found on the Acas, and the CIPD websites.

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