

Research Paper

Knowledge and use of mediation in SMEs

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Knowledge and Use of Mediation in SMEs

Results From Telephone Omnibus – February 2008

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1. Management Summary

Acas commissioned GfK NOP to carry out a telephone interview survey of managers in 500 Small and Medium Enterprises to assess their awareness and use of mediation as a means of solving disputes in the workplace. This is part of a wider research programme being carried out jointly by Acas and the Chartered Institute of Personnel and Development on the use of mediation.

Overall Results

The results show that 7% of managers in small and medium sized organisations have used mediation, and a further 56% have heard of it but not used it.

Use of Mediation

The results show that of those that had used mediation:

- half had not used it in the last 12 months.
- 58% had only used a mediator from outside their organisation, 15% had only used a mediator from within their organisation, and 19% had used a combination of both external and internal mediation. 8% were not sure how mediation was provided.
- mediation was used to solve a range of issues, but in particular discipline issues and relationship breakdowns.
- mediation is most likely to be used where conflict arises between one or more employee(s) and their manager.
- in respondents' most recent experience of mediation, issues were resolved completely by mediation in 49% of cases and resolved completely or partly in 82% of cases.

Non-Users of Mediation

The main reason that mediation was not used by those who had heard of but not used it was that they had not had any problems suited to mediation (87%).

If appropriate circumstances arose in the future, 72% of those that had heard of but not used mediation would consider using it, compared to 29% of those that had not heard of it before.

Views on Mediation

Overall, the questions asked of all managers regarding their views of mediation give a mixed picture. There were some positive messages:

- Nearly three quarters think mediation sounded like it is a good tool for resolving disputes in the workplace.
- The majority thought that mediation sounded like it would improve line managers' ability to manage conflict.
- A large majority thought that a more widespread use of mediation would reduce the number of Employment Tribunal claims.
- The majority thought that mediation sounded as if it would produce 'win-win' solutions and leave both parties satisfied.

However, the survey highlighted some challenges to a more wide-spread use of mediation:

- Around two thirds of managers think mediation should only be used as a last resort.
- There was a range of opinions as to whether mediation is an expensive option, but a higher proportion thought that it sounded expensive than thought that it did not. This was particularly true of those that had not used mediation.
- The majority of managers thought mediation is only suited to large organisations. This was particularly true of those that had not used mediation.

2. Introduction

Acas and the CIPD (Chartered Institute of Personnel and Development) are carrying out joint research into the use of mediation. There are four main strands to this work:

- Web-poll on the use of mediation among CIPD members
- Detailed web-based survey of CIPD members to look at the specifics of mediation amongst users of mediation
- Telephone survey of managers in Small and Medium Enterprises (SMEs)
- Case studies of eight organisations that use mediation.

This report covers the third item – the telephone survey of decision makers and managers in SMEs. An SME is an organisation that employs less than 250 staff. SMEs can be split into three groups:

- Micro establishment: between 1 and 9 employees
- Small establishment: between 10 and 49 employees
- Medium establishment: between 50 and 249 employees

For this survey, all SMEs with an annual sales turnover of less than £50,000 were excluded. Public sector organisations were also excluded.

Acas commissioned GfK NOP to carry out the survey. Five hundred telephone interviews were carried out with managers in SMEs: 86% in micro, 12% in small and 2% in medium sized establishments. For more details, see Annex C.

3. Results

3.1. Overall Results

Table 1 shows the proportion of managers that had either heard of, or had used mediation. The results show that just under two thirds (64%) of all managers have heard of mediation, with only a very small proportion having used it (7%). Just over half (56%) have heard of it without using it. The results are significantly different for organisations of different sizes, with 36% of medium sized establishments (50 to 249 employees) having used mediation compared to only 5% of micros (fewer than 10 employees).

Table 1 Proportion of people that have heard of or used mediation

Have you used or heard of mediation as a tool for settling workplace disputes?					
<i>Size of firm:</i>	<i>All</i>		<i>Micro</i>	<i>Small</i>	<i>Medium</i>
Used mediation	7%		5%	16%	36%
Heard of but not used mediation	56%		57%	55%	46%
Not heard of mediation	36%		38%	29%	18%

Base: 'All' – 500
 Base: 'Micro' – 430 weighted; 211 unweighted
 Base: 'Small' – 60 weighted; 205 unweighted
 Base: 'Medium' – 10 weighted; 84 unweighted

3.2. Knowledge and Use of Mediation

Managers were asked about their knowledge and use of mediation. Nearly two-thirds had heard of mediation as a method for resolving disputes in the workplace. In addition, eight in ten of these were aware that mediation could be provided by an external organisation, while over a half knew it could be provided internally. One-sixth did not know how mediation is provided (see Table 3)

Table 2 Have you heard of mediation as a tool for settling workplace disputes?

Knowledge of mediation	
Yes	64%
No	36%

Base: All (500)

Table 3 Have you heard of mediation being provided in any of the following ways?

Method of mediation provision	
Provided by external organisations or individuals that specialise in mediation	32%
Provided through someone in your workplace or organisation who is trained or experienced in mediation of employment disputes	5%
I have heard of both of the above	47%
I don't know how mediation is provided	16%

Base: Yes to Question 1 (Table 2) – all who have heard of mediation (318 weighted; 345 unweighted)

76 survey respondents had used mediation. However, as these were more likely to be in medium SMEs (who were over-sampled) this figure has to be weighted down. The weighted results show that from a random sample of 500 SMEs, managers in only 36 would have used mediation. This represents 11% of those that had heard of mediation, or 7% of the total sample.

Table 4 Have you or anyone else in your workplace ever used mediation to try to resolve a problem?

Use of mediation		
	<i>Heard of mediation</i>	<i>All</i>
Yes	11%	7%
No	88%	56%
Don't know	1%	0.4%

Base: 'Heard of mediation' – Yes to Question 1 (318 weighted; 345 unweighted)
 Base: 'All' – all respondents (500)

Managers in SMEs where mediation had used were asked whether mediators used were internal to the organisation or from an external body. Overall, 77% had used external mediation, whether from Acas, elsewhere or from an unknown source. 34% had used internal mediation. One in five (19%) said both that they had access to trained mediators in their workplace, and that they had brought someone in (from any source). Table 5 provides more detailed information on responses to this question, showing the proportion of respondents citing each mediation source.

Table 5 What forms of mediation have been used in your workplace? (Note: more than one selection was allowed, so percentages do not add to 100%).

Forms of mediation used	
someone from Acas was brought in to mediate between parties	31%
an independent person (other than Acas) was brought in to mediate between parties	50%
someone was brought in to mediate between parties, but I don't know which organisations they came from	11%
we have access to trained mediators in the workplace	34%
other ... please specify	7%
don't know / can't remember	1%

Base: Yes to Question 3 (Table 4) – all who have used mediation (36 weighted; 74 unweighted)

Users of mediation also provided information on the issues that mediation had been used to address. Table 6 shows the range of different topics covered by mediation. The survey allowed managers to select more than one option, and more than half (52%) did so. The most common problems to be addressed by mediation were discipline issues and relationship breakdowns.

Several managers selected the 'other' option. Descriptions that they specified for the types of problems addressed were: 'disputes with clients', 'injury at work', 'gross misconduct', 'health and drink problems', 'redundancy' and 'theft'.

Table 6 What sort of problems has your organisation used mediation to try to solve? (Note: more than one selection was allowed, so percentages do not add to 100%)

Problems addressed	
discipline	43%
relationship breakdown	36%
bullying and harassment	31%
terms and conditions, including pay	29%
absence	24%
performance management	23%
workload	19%
discrimination on grounds of sex	12%
discrimination on grounds of race	12%
other forms of discrimination	14%
other ... please specify	5%
don't know / can't remember	20%

Base: Yes to Question 3 (36 weighted; 74 unweighted)

The survey suggests that even in SMEs where mediation has been used in the past, mediation is not used very frequently: half of the managers that had used mediation had not done so within the last 12 months, and only one in 10 had used the technique more than twice over the previous year (see Table 7).

Table 7 On approximately how many occasions has your organisation used mediation in the last 12 months?

Frequency of use	
0	50%
1	21%
2	19%
3	9%
4 or 5	(none)
6	1%

Base: Yes to Question 3 (36 weighted; 74 unweighted)

According to the survey, the parties involved in mediation in SMEs are most frequently one or more employees and their manager – this was true in 46% of cases. In a third of cases the problems being addressed had involved just two or more employees (see Table 8).

Table 8 Thinking of the most recent use of mediation, was it used to address a problem between:

Most recent mediation – parties involved	
two or more employees	33%
between one or more employees and their manager	46%
other ... please specify	6%
don't know / can't remember	16%

Base: Yes to Question 3 (36 weighted; 74 unweighted)

Mediation seems to have produced positive results in SMEs that had used it: almost half of the respondents said the last mediation resolved the issues 'completely' (49%). More than four in five (82%) said it had resolved the issues either completely or partly.

Table 9 To what extent do you feel mediation in that instance resolved the issues between the parties?

Most recent mediation – resolution of issues	
completely	49%
partly	33%
not at all	14%
don't know / can't remember	4%

Base: Yes to Question 3 (36 weighted; 74 unweighted)

3.3. Non-Users of Mediation

Why Mediation is Not Used

The survey asked those managers who knew about mediation but had not used it, why this was the case. Table 10 summarises responses to this question.

By far the most common reason given for not using mediation was that the organisation had not had any problems that were suitable, rather than an opposition to mediation in principle. However, this finding does suggest that it might be worth trying to raise awareness of mediation within SMEs as it is possible that managers were underestimating the circumstances in which mediation could be useful.

Several people selected the 'other' option when saying why they did not use mediation. Some (all in micro SMEs) said that it was not applicable due to the size of their organisation, mainly where the respondent was a sole trader. A few other people (all in small SMEs) said that they dealt with problems internally with comments like 'I talk to my staff', 'we are quite capable of solving our own problems'. Other reasons given include: 'insurance', 'cost', and 'they do as they are told'.

Table 10 Why do you think your organisation has not used mediation? (Note: more than one selection was allowed, so percentages do not add to 100%)

Why mediation has not been used	
we haven't had any problems that would suit mediation	87%
I don't believe it would work	2%
I don't believe it's appropriate to involve third parties in disputes at work	9%
there is a lack of interest by managers at my workplace	3%
there is a lack of interest by employees at my workplace	3%
I don't know any mediators or any organisations that help with mediation	5%
we are considering using mediation	1%
other ... please specify	All 'other'
	(Not appropriate for us/business too small) (6%)
	(Prefer to resolve disputes internally) (0.4%)
	(Others) (2%)
don't know	2%

Base: No to Question 3 (Table 4) – heard of but not used mediation (280 weighted; 270 unweighted)

Future Use of Mediation

All managers who had not used mediation were asked whether they would consider doing so in the future. Encouragingly, the number of people that would consider using mediation if the correct circumstances arose outweighed those that would not use it. Those that had heard of mediation before the survey were more positive towards using mediation than those that had not heard of it previously. If people have heard of mediation, nearly three quarters (72%) will consider using it in the right circumstances, compared with less than a third (29%) of those that had not heard of it. This is a statistically significant difference.

Table 11 If the circumstances arose, would you consider using mediation in the future to resolve workplace disputes?

Future use of mediation				
	All not used		Not heard of	Heard of, not used
Yes	55%		29%	72%
No	41%		63%	26%
Don't Know	4%		7%	2%

Base: 'All not used' – No to Question 1 (Table 2) or no to Question 3 (Table 4) (462 weighted; 425 unweighted)

Base: 'Not heard of' – No to Question 1 (182 weighted; 155 unweighted)

Base: 'Heard of, not used' – No to Question 3 (280 weighted; 270 unweighted)

3.4. Views on Mediation

The survey explored all managers' attitudes to mediation by asking the extent to which they agreed or disagreed with a series of statements

A Good Tool For Resolving Disputes In The Workplace?

As Table 12 indicates, nearly three quarters of managers in SMEs (72%) think mediation sounds like it is a good tool for resolving disputes in the workplace. Only 11% actively disagreed with this. Of those that had used mediation, 99% agreed that it is a good tool for resolving workplace disputes, with the rest neither agreeing nor disagreeing. This is significantly different from those that had only heard of mediation (78%) and those that had not even heard of it (56%).

Table 12 Mediation is/sounds like... a good tool for resolving disputes in the workplace

Views on mediation – a good tool for resolving disputes in the workplace	
Strongly agree	24%
Tend to agree	48%
Neither agree nor disagree	13%
Tend to disagree	6%
Strongly disagree	5%
Don't know	4%

Base: All (500)

A Last Resort When There Is No Other Way To Resolve A Dispute?

The Gibbons agenda suggests that alternative dispute resolution techniques, such as mediation, should be used more frequently and earlier in disputes. However, the following table suggests that this message has not reached those in SMEs: around two thirds (68%) of respondents agreed that mediation should only be used as a last resort. There was no significant difference in the response to this question between people that had used, heard of and not heard of mediation.

Table 13 Mediation is/sounds like... a last resort when there is no other way to resolve a dispute at work

Views on mediation – a last resort when there is no other way to resolve a dispute at work	
Strongly agree	36%
Tend to agree	32%
Neither agree nor disagree	7%
Tend to disagree	11%
Strongly disagree	11%
Don't know	4%

Base: All (500)

An Expensive Way To Resolve Disputes?

Managers had a range of opinions as to whether mediation is an expensive option. This question had the largest proportion of respondents saying that they do not know (18%) of all the views on mediation included in this section. However, a higher proportion agreed that mediation sounds expensive (43%) than disagreed (23%). The results are very different when split by those that had used mediation and those that had not. Of those that had used mediation, 58% disagreed that it was expensive, while only 24% agreed it was expensive. In contrast 44% of those that had only heard of mediation, and 46% of those that had not heard of mediation prior to survey, saw it as an expensive option. This is a statistically significant difference.

Table 14 Mediation is/sounds like... an expensive way to resolve disputes

Views on mediation – an expensive way to resolve disputes	
Strongly agree	21%
Tend to agree	23%
Neither agree nor disagree	16%
Tend to disagree	13%
Strongly disagree	9%
Don't know	18%

Base: All (500)

Only Suited To Large Organisations?

Again, there was a range of opinions as to whether mediation is only suited to large organisations, however most SME managers had an opinion on this. Again, a higher proportion agreed with the negative position that mediation sounds as if it is only suited to large organisations (52%) than the positive response of disagreeing (40%). However, when the results are broken down by usage, a different picture emerges: just 16% of those that had used mediation said it was only suited to large organisations, which is significantly different to those that had not heard of it before, of whom 61% agreed with this statement. This difference holds true irrespective of organisation size: between 82% and 88% of micro, of small, and of medium size firms that had used mediation disagreed with this statement.

Table 15 Mediation is/sounds like... only suited to large organisations

Views on mediation – only suited to large organisations	
Strongly agree	28%
Tend to agree	25%
Neither agree nor disagree	5%
Tend to disagree	21%
Strongly disagree	18%
Don't know	4%

Base: All (500)

Mediation Improves Line Mangers Ability To Manage Conflict?

The majority of managers in SMEs thought that mediation sounds like it would improve line managers' ability to manage conflict (55% agreed, whereas 21% disagreed). Even when broken down by usage more than half of each group agreed, though the groups were significantly different. 74% of those that had used mediation, 53% of those that had heard of it and 55% of those that had not heard of it agreed that mediation improves line managers' ability to manage conflict.

Table 16 Mediation is/sounds like... mediation improves line mangers ability to manage conflict

Views on mediation – mediation improves line mangers ability to manage conflict	
Strongly agree	23%
Tend to agree	32%
Neither agree nor disagree	14%
Tend to disagree	11%
Strongly disagree	10%
Don't know	11%

Base: All (500)

More Widespread Use Of Mediation Will Reduce The Volume Of Claims To An Employment Tribunal?

In line with the assessment by Gibbons and others, a large majority of managers in SMEs thought that a more widespread use of mediation would reduce the number of Employment Tribunal claims (63% agreed, whereas 14% disagreed). These results were similar, regardless of usage.

Table 17 Mediation is/sounds like... more widespread use of mediation will reduce the volume of claims to an Employment Tribunal

Views on mediation – more widespread use of mediation will reduce the volume of claims to an Employment Tribunal	
Strongly agree	27%
Tend to agree	36%
Neither agree nor disagree	12%
Tend to disagree	11%
Strongly disagree	3%
Don't know	11%

Base: All (500)

Mediation Produces “Win-Win” Solutions That Leave Both Parties Satisfied?

Finally, the majority of managers thought that mediation sounds like it would produce 'win-win' solutions and leave both parties satisfied (53% agreed, whereas 21% disagreed). These results were similar, regardless of usage.

Table 18 Mediation is/sounds like... mediation produces “win-win” solutions that leave both parties satisfied

Views on mediation – mediation produces “win-win” solutions that leave both parties satisfied	
Strongly agree	20%
Tend to agree	33%
Neither agree nor disagree	14%
Tend to disagree	14%
Strongly disagree	7%
Don't know	12%

Base: All (500)

Summary of Views on Mediation

Overall, the questions asking for views of mediation from managers in SMEs give a mixed picture. There were some positive messages:

- Nearly three quarters of managers think mediation sounds like it is a good tool for resolving disputes in the workplace.
- The majority thought that mediation sounds like it would improve line managers’ ability to manage conflict.
- A large majority thought that a more widespread use of mediation would reduce the number of Employment Tribunal claims.
- The majority thought that mediation sounds like it would produce ‘win-win’ solutions and leave both parties satisfied.

However, the survey highlighted some challenges to a more wide-spread use of mediation:

- Around two thirds of managers in SMEs think mediation should only be used as a last resort.
- There was a range of opinions as to whether managers in SMEs think mediation is an expensive option, but a higher proportion thought it did sound expensive than that it did not. This was particularly true of those that had not used mediation.
- The majority of managers thought mediation is only suited to large organisations. This was particularly true of those that had not used mediation.

Annex A – Characteristics of Respondents

Computer Use

A large majority of respondents had a computer in their organisation that was used for work purposes – 410 of the 500 responses (82%). In most organisations the internet is used for business – 322 (64% of all businesses, 78% of those that use a computer). Only a minority actually sell via the internet – 109 (22% of all businesses, 34% of those that use the internet for business).

Table 19 Does this business have any PCs which are used for business?

Computer Used	Proportion	Knowledge and use of mediation		
		Not heard of	Heard of	Used
Yes	82%	36%	56%	8%
No	18%	40%	57%	3%

Base: All (500)

Table 20 Do you use the internet for your business?

Internet Used	Proportion	Knowledge and use of mediation		
		Not heard of	Heard of	Used
Yes	78%	34%	57%	9%
No	21%	43%	51%	6%
Don't know	0.5%	0%	100%	0%

Base: All that use a computer at work – yes at Table 19 (410 weighted; 477 unweighted)

Table 21 Do you sell via a website?

Sales via Internet	Proportion	Knowledge and use of mediation		
		Not heard of	Heard of	Used
Yes	34%	23%	67%	10%
No	66%	39%	53%	8%
Don't know	0.3%	29%	41%	29%

Base: All that use the internet at work – yes at Table 20 (322 weighted; 376 unweighted)

Annual Sales Turnover

The largest group of respondents had an annual sales turnover of between £50k and £250k (57%). 17% had between £250k and £500k. 11% had an annual sales turnover of between £500k and £1m. 14% had between £1m and £10m. Only 1% had an annual sales turnover of more than £10m. (Note: that all businesses with a turnover of less than £50k were excluded from the survey).

Table 22 Which of these bands does your annual sales turnover fall?

Annual Turnover	Proportion	Knowledge and use of mediation		
		Not heard of	Heard of	Used
50 000 pounds - 250 000 pounds	57%	37%	57%	6%
250 001 pounds - 500 000 pounds	17%	42%	51%	7%
500 000 pounds - 1 million pounds	11%	30%	60%	10%
1 - 10 million pounds	14%	34%	57%	10%
10 million pounds or more	1%	8%	60%	32%

Base: All (500)

Nature of Business

The table below shows the type of the business of the respondents. Managers of SMEs classed as 'other' were significantly more likely to have used mediation (17%) than all other types of business combined (6%).

Table 23 Which of these best describes the nature of your business?

Nature of Business	Proportion	Knowledge and use of mediation		
		Not heard of	Heard of	Used
Catering or leisure	7%	21%	76%	4%
Construction	8%	31%	61%	8%
Manufacturing or production	12%	52%	47%	1%
Motor trades or transport	8%	58%	39%	3%
Professional or business services	27%	34%	57%	9%
Retail or wholesale	26%	39%	56%	5%
Other	12%	21%	62%	17%

Base: All (500)

Region

The respondents were spread across the country, with between 36 and 54 respondents from each of the 11 Government Offices (including Scotland and Wales).

Table 24 In which part of the country are you based?

Region	Proportion	Knowledge and use of mediation		
		Not heard of	Heard of	Used
East Anglia	8%	31%	57%	12%
East midlands	9%	40%	54%	6%
Greater London	7%	33%	52%	15%
North	8%	28%	67%	6%
North west	10%	54%	43%	3%
Scotland	10%	42%	54%	3%
South East	10%	25%	69%	6%
South West	8%	36%	62%	3%
Wales	10%	37%	45%	18%
West midlands	11%	34%	62%	3%
Yorkshire	10%	37%	57%	6%

Base: All (500)

Company Status

The table below shows how many businesses fell into each company status.

Table 25 Is this business a...

Company Status	Proportion	Knowledge and use of mediation		
		Not heard of	Heard of	Used
Limited Company	50%	30%	63%	7%
Partnership / limited liability partnership	19%	44%	53%	3%
Sole trader	28%	43%	49%	8%
Other	2%	25%	25%	50%
Don't know	1%	47%	53%	0%

Base: All (500)

Time Company Has Traded

The table below shows how long the businesses had been trading for. A significantly higher proportion of managers in older firms trading for 15 years or more had used mediation (10%) than in younger firms trading for up to 15 years (4%).

Table 26 How many years has this business been trading?

Age of Business	Proportion	Knowledge and use of mediation		
		Not heard of	Heard of	Used
Up to 5 years	19%	33%	65%	2%
5 to up to 10 years	18%	33%	62%	5%
10 to up to 15 years	12%	35%	59%	7%
15 to up to 20 years	11%	34%	46%	19%
20 to 50 years	33%	39%	54%	7%
Over 50 years	6%	50%	43%	7%
Don't know	0.02%	100%	0%	0%

Base: All (500)

Age of Respondent

The table below shows the age of respondents.

Table 27 Respondent age

Age of Respondent	Proportion	Knowledge and use of mediation		
		Not heard of	Heard of	Used
Under 25	3%	51%	49%	0%
25-34	10%	50%	39%	11%
35-44	25%	34%	63%	3%
45-54	29%	37%	57%	7%
55-64	26%	31%	60%	9%
65+	5%	36%	47%	17%
Refused	2%	52%	45%	3%

Base: All (500)

Gender of Respondent

Out of the 500 responses, 346 (69%) were male and 154 (31%) were female.

Table 28 Respondent gender

Gender of Respondent	Proportion	Knowledge and use of mediation		
		Not heard of	Heard of	Used
Male	69%	40%	53%	7%
Female	31%	29%	64%	7%

Base: All (500)

Annex B – Questionnaire Used

POLL QUESTIONS FOR SME ON USAGE OF MEDIATION

No	Routing	Question
1.	Ask all	<p>These questions are about dealing with problems in the workplace.</p> <p>Mediation is a form of dispute resolution in which a neutral third party, from inside or outside the workplace, helps people find a mutually acceptable solution.</p> <p>Have you heard of mediation as a tool for settling workplace disputes? Yes/No</p>
2.	Yes to 1	<p>Have you heard of mediation being provided in any of the following ways? [Read out; select one only]</p> <ul style="list-style-type: none"> - provided by external organisations or individuals that specialise in mediation - provided through someone in your workplace or organisation who is trained or experienced in mediation of employment disputes - I have heard of both of the above - I don't know how mediation is provided
3.	Yes to 1	<p>Thinking about any people problems you may have experienced in your workplace, have you or has anyone else in your workplace ever used mediation to try to resolve a problem? Please exclude any conciliation Acas provided during an Employment Tribunal claim. Yes/No</p>
4.	Yes to 3	<p>What forms of mediation have been used in your workplace? [Read out, tick all that apply]</p> <ul style="list-style-type: none"> - someone from Acas was brought in to mediate between parties - an independent person (other than from Acas) was brought in to mediate between parties - someone was brought in to mediate between parties, but I don't know which organisations they came from - we have access to trained mediators in the workplace - other ... please specify - don't know / can't remember [don't read out]
5.	Yes to 3	<p>What was the sort of problems has your organisation used mediation to try to solve? [Read out, tick all that apply]</p> <ul style="list-style-type: none"> - relationship breakdown - discrimination on grounds of sex - discrimination on grounds of race - other forms of discrimination - bullying and harassment - terms and conditions, including pay - absence - discipline - workload - performance management - other ... please specify - don't know / can't remember [don't read out]
6.	Yes to 3	<p>On approximately how many occasions has your organisation used mediation in the last 12 months? [Enter whole number answer]</p>
7.	Yes to 3	<p>Thinking of the most recent use of mediation, was it used to address a problem between: [Read out; select one only]</p> <ul style="list-style-type: none"> - two or more employees - between one or more employees and their manager - other ... please specify - don't know / can't remember [don't read out]

8.	Yes to 3	To what extent do you feel mediation in that instance resolved the issues between the parties? [Read out; select one only] - completely - partly - not at all - don't know / can't remember [don't read out]
9.	Yes to 1 No to 3	Why do you think your organisation has not used mediation? [Read out, tick all that apply] - we haven't had any problems that would suit mediation - I don't believe it would work - I don't believe it's appropriate to involve third parties in disputes at work - there is a lack of interest by managers at my workplace - there is a lack of interest by employees at my workplace - I don't know any mediators or any organisations that help with mediation - we are considering using mediation - other ... please specify
10.	No to 1 or to 3	If the circumstances arose, would you consider using mediation in the future to resolve workplace disputes? Yes/No
11.	Ask all	To what extent do you agree or disagree with the following statements: [Read out] - For each: strongly agree, tend to agree, neither agree nor disagree, tend to disagree, strongly disagree (plus don't know [don't read out]) Mediation is or sounds like it would be: <ul style="list-style-type: none"> • a good tool for resolving disputes in the workplace • a last resort when there is no other way to resolve a dispute at work • an expensive way to resolve disputes • only suited to large organisations • mediation improves line managers ability to manage conflict • more widespread use of mediation will reduce the volume of claims to an Employment Tribunal • mediation produces "win-win" solutions that leave both parties satisfied

In addition to the above questions that Acas commissioned, GfK NOP asks a set of demographic questions for all surveys:

- Does this business have any PCs which are used for business?
- Do you use the internet for your business?
- Do you sell via a website?
- Number of Employees
- Which of these bands does your annual sales turnover fall?
- Which of these best describes the nature of your business?
- In which part of the country are you based?
- Is this business a... {Limited Company/Partnership/Sole Trader/Other}
- How many years has this business been trading?
- Respondent age
- Gender

Annex C –Methodology

Sampling

Table 29 below shows the proportion of all SMEs in the UK that fall into each of three size categories, and the number of interviews that GfK NOP aimed for and achieved for each of these three groups.

In order to achieve a representative sample, it would have been necessary to carry a very large proportion of interviews on managers of micro SMEs given their predominance in SMEs; and similarly, would have required a very small number of interviews within medium sized companies. In practice, this approach would not yield sufficient responses to allow for analysis by the two larger size bands. A disproportionate sample was therefore used and the results weighted to reflect the true population. The table below gives figures for the target and achieved interviews, and details of the weighting factors.

Table 29 Sample size

Number of employees	Proportion in UK generally	Ideal number of interviews	Target number of interviews	Achieved interviews	Weighting applied
Micro: Less than 10 employees	86%	430	200	211	2.03791
Small: 10 to 49 employees	12%	60	200	205	0.29268
Medium: 50 to 249 employees	2%	10	100	84	0.11904

Significance Testing

Where a difference is said to be significant, the difference is statistically significant at the 95% confidence level.

Note that as sample sizes are very low, differences could only be statistically tested for those questions which were asked of most or all respondents (e.g. question 11, which posed a series of statements designed to find out views of mediation).

