To Evaluate the Role of Mediation in a Financial Services
Organisation in Dublin

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in Arts in Human Resource Management

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Abstract

Aim

This study aims to evaluate the role of mediation in a Financial Services organisation in Dublin.

Background

As mediation is an emerging field and with the introduction of the new Mediation Bill in Ireland in 2017, interest in mediation as a form of alternative dispute resolution has increased in recent years. In a tight labour market, organisations need to identify new ways to retain current talent and to ensure they are leveraging off cost reduction methods, as well as keeping up with current trends, such as flexible working arrangements and the psychological contract.

Whilst we have seen an increase in use and success of mediation, it is apparent that this intervention comes at a later stage, when the parties have already reached an impasse. With the changing and developing managerial role in organisations, the author looks to explore whether there is any scope for a manager to possess mediation skills. The author will also explore the implementation of mediation in a financial services organisation and the role of the mediator.

Research design

The researcher adopted a qualitative research approach and conducted seven semi-structured interviews. The results of these were analysed using thematic analysis and compared with the results of previous work in this area (Bennett, 2014).

Findings

Six themes emerged from the research. These themes correlate to: timely intervention of mediation, internal and external mediators, introduction of mediation, success of mediation, cultural impact on conflict and finally line manager involvement. The findings suggest that whilst all participants interviewed had an understanding of mediation, there was an overall lack of awareness reported across the organisation with regard to mediation. The uptake of mediation, since the introduction of the policy in 2012, has been one case of mediation per year. An area for further training and awareness that was evident was that of the involvement of line managers in conflict. There is a strong case for increased line manager training to better equip managers to handle conflict and adopt some of the skills possessed by mediators.

Conclusion

The researcher found mediation is a very cost effective tool to be utilised across the organisation. The author identified gaps in training for line managers to be more equipped when managing conflict among staff. In supporting the evolving role of line managers, participants feel that the organisation needs to do more to equip them with the skills to manage these scenarios.

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Chapter 1 Introduction

This Chapter will serve to provide an overview of the role of mediation as an alternative to dispute resolution. The author will outline the aims and objectives of this study and demonstrate the significance of this research to the larger field of mediation. The researcher chose to evaluate the role of mediation in a financial services organisation in Dublin. As an emerging field, there has been limited research conducted into the role of mediation among financial services organisations. In particular, the majority of studies were conducted using quantitative research methods. The author was keen to explore the success rate of mediation, as well as the use of internal and external mediators within the organisation and the role of line managers in conflict.

In a rapidly changing and competitive environment, the need for organisations to remain ahead of competitors and retain staff is proving more difficult. Organisations need to maintain positive relationships with employees and an essential element of this relationship building can be assisted through managers intervention and relationships with staff (Torrington, Hall and Taylor, 2008; Kozina, 2014). Line managers are often the first point of contact for staff when any issues arise. With the evolving managerial roles, line managers must assume more responsibility (Torrington et al., 2008).

Among the formal methods available to conflict resolution, such as arbitration, recent years have seen an emergence of the evolution of mediation as an alternative to formal dispute resolution (Roche and Teague, 2012). The main driver behind the introduction of informal methods of conflict resolution was cost and the time intensiveness of processes (Grenig, 2016).

Aim

The aim of this research is to evaluate the role of mediation as a form of alternative dispute resolution in a Financial services organisation in Dublin. Furthermore, the researcher is hoping to build and contribute additional findings to the work of Bennett (2014).

Objective of study

The researcher will be exploring the following objectives, with a view to further developing mediation as a form of alternative dispute resolution :

- To identify at what point would conflict resolution would be most appropriate for mediation to be introduced.
- To explore the suitability of an internal versus external mediators involvement in the mediation process in the a financial services organisation.
- To gain an understanding of the rationale as to why the mediation process was introduced in a financial services organisation.
- To examine the success rate of mediation in a financial services organisation.
- To explore the impact of culture on conflict in a financial services organisation in Dublin.
- To explore the appropriateness of whether line managers should be involved in the mediation process.

Background

The study will be conducted in a financial services organisation. The organisation currently employs 1800 people, based across two locations in Dublin. The organisation utilises mediation through their Dignity at Work Policy and encourages its uptake throughout the organisation.

Contribution to Literature

Informed by the work of Bennett (2014), the author is hopeful that this study will contribute to the field of mediation within financial services organisations.

The subsequent Chapter will detail the literature surrounding this area.

Chapter Three will discuss the research instrument selected for this study.

Chapter Four will identify the findings of this research and the discussion surrounding the themes which emerged.

The final Chapter will conclude this work and outline recommendations for future research and limitations of the study.

Chapter 2 Literature Review

Introduction

This Chapter will explore the literature surrounding mediation as a form of alternative dispute resolution. The author will begin will begin with an overview of the emergence of alternative dispute resolution and its development throughout the world.

This will be followed by a review of workplace mediation. This Section will identify the roles of the parties involved in the mediation process, as well as the different approaches to mediation that can be adopted. The author will explore the impact that culture has on mediation and conflict, as well as conflict theories.

It will discuss the evolving role of a manager, and how their development relates to management theory and responsibilities. The author will then explore the most appropriate time for mediation to be introduced during a personal conflict within organisations. The Chapter will conclude by identifying future trends and evolving themes for mediation.

Literature was collated from a variety of online journals, as well as books and other literary sources, such as professional magazines. Topical, relevant articles were also referenced to reflect current changes in this environment.

Alternative Dispute Resolution

In today's environment, there is a need for organisations to remain ahead of competitors to sustain an advantage (Jahanshahi, Nawaser, Eizi, and Etemadi, 2015). Coupled with this is the increase in demands for flexible working arrangements, and the importance of human resource management to satisfy

employees (Gunnigle, Morley, Clifford and Turner, 1997). We are moving towards approaches that offer informal alternatives to conflict resolution to provide a more positive working environment (Wood, Saundry and Latreille, 2017; Gunnigle et al. 1997). Whilst managing the employment relationship remains integral, this is proving more difficult for collective disputes, with a decline in trade union density (Lipsky, 2016; Gunnigle et al., 1997). However, the decrease in trade union density has affected the evolution of alternative dispute resolution methods, namely mediation (Lipsky, 2016). Traditionally, trade unions would have provided protections and bargaining powers for employees, however with the decline in membership, one could surmise that this can lead to an increase in individual grievances being raised (Turner and D'Art, 2008; Wood et al., 2017).

It is important to recognise that conflict is present in the workplace and can be both beneficial and damaging to relationships. For instance, creative tension can lead to imaginative thinking and new ideas. Organisations have come to recognise the impacts that interpersonal conflict can have, such as negatively affecting the workforce and morale and work performance; there is a positive correlation between conflict and sick leave and absenteeism (Emerald Group Publishing, 2016; Messarra, Karkoulian and El-Kassar, 2016). Formal methods for resolving conflict in the workplace have developed over the last fifty years and throughout this time, we have seen structures and processes put in place for the protection of employees (Roche, 2016). Some of these measures include legislation covering unfair dismissals (Workplace Relations, 2018) and the Employment Equality Act (1998) (Irish Statute Book, 2018a) to name a few.

Traditionally, approaches to resolving conflict would have focused on conflict-negative and conflict-positive approaches (Yeung, 1997). These approaches would have largely adopted the idea that conflict was a negative reaction in the workplace and should be avoided; however, the contrasting side is the post-

Fordist idea, which contends that it provides employees with an opportunity to voice concerns or grievances (Yeung, 1997). In addition to this, Moore (2003) highlights opportunities such as informal problem solving and avoidance strategies, and formal options such as arbitration or litigation, as additional methods of conflict resolution.

The term "alternative dispute resolution" originated in the United States of America and has developed further internationally. The term "ADR" was associated with alternative solutions to that of litigation, which is both costly and timely (Roche and Teague, 2012). "ADR" practices can often be distinguished by two distinct categories: adjudicatory and non-adjudicatory (Grenig, 2016). Furthermore, Roche (2016) highlights that in earlier years, formal dispute resolution procedures in smaller organisations were less common than in larger organisations. One could surmise that this may be as result of training, awareness or funding in this area but most probably due to a lack of scale and resources.

There are numerous ways for parties to resolve conflicts, such as arbitration, "judicial approach, legislative approach and extra-legal approach" and negotiation (Fontaine, Cozewith and Fox, 2012; Moore, 2003, pp.10-11; Lee, Yiu and Cheung, 2016). Alternative dispute resolution methods have developed further in recent years and now span both unionised and non-unionised organisations, and offer the parties involved a more satisfactory and informal setting to resolve conflict within their control (Roche and Teague, 2012; Stipanowich and Lamare, 2014). The introduction of alternative dispute resolution methods aimed to reduce the use of costly and timely litigation processes and, particularly in Ireland, to reduce the time taken to process grievances through the Workplace Relations Commission (WRC) (Grenig, 2016). The judicial system was experiencing delays in processing grievances in Ireland and the informal solution that mediation offered was welcomed (Courts Service, 2016).

Research suggests that alternative dispute resolution methods are prominent in both public and private sector organisations. Data collected through a sample by Watson, Galway, O'Connell and Russell (2009), shows that these procedures were now commonplace in public sector organisations (97%) (Cited in Roche, 2016, p. 64- 65). Among the dispute resolution methods available, this study will be focusing on mediation as a form of alternative dispute resolution in Dublin. Through both the establishment of the Workplace Relations Commission (WRC) and the Mediation Act introduced in January 2017, it is evident that there has been a progressive uptake in mediation services offered. This is further evident through the 620 cases of mediation having been processed within the first six months of the establishment of the Workplace Relations Commission (Houses of the Oireachtas, 2018; McDowell Purcell, 2018).

Workplace Mediation

Mediation, as defined by the Mediators' Institute of Ireland (2018), is an informal method for resolving disputes. The parties involved in the mediation directly control the outcome of mediation but once agreed it is not legally binding. An impartial, third party mediator facilitates mediation and assists in drawing up an agreement and ways of moving forward (The Mediators' Institute of Ireland, 2018). The parties involved in the mediation process must be both willing and open to reaching an outcome (Moore, 2003). Mediation can be applied to a variety of situations and previously would have emerged in the employer and employee relationship however, now its application is farther reaching. It is applicable to conflicts within primary and secondary schools, family disputes, landlord and tenant disputes, and commercial and community mediations (Moore, 2003; The Mediators' Institute of Ireland, 2018).

Traditionally, the human resources function would have been concerned with 'personnel management', but recent times have seen a move towards a move towards a strategic focus, with more emphasis placed on the different elements

relating to the employment relationship (Torrington, Hall and Taylor, 2008). The increased use and prevalence of mediation highlighted by statistics, are additional evidence of its impact in the United Kingdom with 43% of respondents to a survey indicated that they utilised mediation (Bennett, 2013). In reinforcing and cementing mediation in Ireland, there has been a positive uptake represented through just under 5,000 complaints being resolved through alternative dispute resolution methods in 2016 and 2017 and through the enactment of the Mediation Act (Financial Services Ombudsman, 2017; Houses of the Oireachtas, 2018).

In a seminal piece of work conducted by Gibbons (2007), a review of dispute resolution in the United Kingdom triggered further interest into the area and generated an increased awareness of mediation (cited in Latreille, Buscha and Conte, 2012). Furthermore, the Fortune 1000 study highlights a shift towards the use of mediation in organisations and a move away from formal resolution methods (Stipanowich and Lamare, 2014). Whilst it is important to recognise that the use of alternative methods of dispute resolution are becoming more popular, Moore (2003) highlight that this is a new development. Although Lee et al. (2016) recognise that there are a number of factors which may hinder this method of dispute resolution. Some of these factors include awareness (or lack thereof) of alternative dispute resolution methods, the perception of "a delay" in the process by using this route and legal professionals discouraging this option with clients. In addition to these factors, there are also additional elements that can manifest themselves within an organisation for example, culture plays a role in distinguishing how conflict can be managed (Lee et al., 2016).

The Mediation Process

As already mentioned an impartial third party facilitates the mediation and a series of steps are followed in the mediation process (Bennett, 2014). The mediator will meet both parties separately to assess the needs of each party and discuss the issues. The underlying informal guidelines or "rules" are also established at this

time, namely the impartiality and willingness of participants to be involved are discussed. Caucus sessions are often implemented throughout the mediation session to allow the mediator to discuss issues in private, without the other party in view (Moore, 2003; Pappas, 2015). Gutman and Grant (2017) also suggest that the background of the mediator may influence the mediation and once again we see culture becoming inherent in the mediation process (Moore, 2003).

Success of Mediation

In recent years, we have seen a striking increase in the uptake of mediation services offered across a range of organisations and in differing scenarios in Ireland. This is evident through the increased involvement of the Law Reform Commission, Workplace Relations Commission, and the enactment of the Mediation Act to name a few successes (McDowell Purcell, 2018; Irish Statute Book, 2018b).

Whilst the benefits of mediation are plentiful, there are also a number of criticisms and limitations associated with mediation, which the author will discuss in the subsequent Sections. Whilst these can play a role in mediation, other elements can determine the success rate of mediation. A great deal of the literature surrounding mediation is concerned with mediator evaluation, as opposed to the success of the actual mediation and how this is measured (Alberts, Heisterkamp and McPhee, 2005). Dean, Robert, Neil, Gary and Lynn (1993) differentiate the success of mediation by short-term and long-term results. Short-term successes of mediation include whether the parties have reached an agreement and the immediate results of the mediation, whilst long-term success is focused on the practical elements of the mediation and the implementation (Dean et al., 1993). Roehl and Cook (1989) reference a success rate of 67- 87% in agreements reached in community mediation (cited in Dean et al., 1993). In support of this success rate, Bennett (2014) references a success rate of mediation of 75% successful mediation cases, although Bennett (2014) does not detail how this was measured.

In comparison to these measures of successful mediation, Pincock (2013, p.5) found that mediation does not have lasting effects on parties but in a small group it can affect "participant's efficacy, interests and relationships". Furthermore, Pincock (2013) highlights that through research it is evident that a lot of literature focuses on the short-term success of mediation, rather than its lasting effects. Whilst this study was conducted in Toronto, it offers conflicting views on the success rates of mediation. One interesting outlier of these findings references a decrease in calls to court systems as a result of those who have utilised mediation, although Charkoudian (2012) was unable to attribute this directly as result of mediation (cited in Pincock, 2013). In further contrast to the aforementioned measures for success, Nabatchi, Bingham, and Moon (2010) discuss the ability to arrive at agreement as the traditional definition for a successful mediation that emerged from Sander (1995) (cited in Nabatchi et al., 2010).

Whilst these three conflicting viewpoints may serve only to highlight the different claims on the success of mediation and the evolution of themes, the author feels that the mediation field would benefit from one universal form of measurement used to identify this, whether this is measured by a settlement being reached or longer-term success rates. These conflicting opinions in the literature give rise to an area of further research and exploration. This is an area that the primary research study being conducted aims to explore in further detail.

Criticism of mediation

One cannot provide an informed view of mediation without identifying the criticisms associated with the growing use of mediation in organisations (Bennett, 2014). In a seminal piece of work conducted in the Higher Education sector, Bennett (2014) summarises the three main criticisms of mediation from a variety of authors: are both parties involved in the mediation of equal standing and status?

recognition that past events and behaviours are not addressed; mediation focuses on the future and moving forward, and that the outcome and agreement is confidential. In a previous work, Lichtenstein (2000) recognises the power imbalance between male and female, and whilst the work of Lichtenstein (2000) primarily focuses on disputes outside the workplace, one cannot wonder if they were vastly ahead of their time as mediation grows in popularity, as evident in further literature.

In addition, Nussbaum (2016) poses a very insightful idea, which the author feels might be a future hindrance to the implementation and support of mediation; as some jurisdictions introduce strict mediation processes and formalities to the process, might this undermine everything that mediation is trying to provide an alternative to? This is perhaps an area that would benefit from further research. Moreover, one of the most apparent benefits of mediation is often the informal nature of the resolution: Lipsky (2016) further questions whether this will hinder the work of formal dispute resolution methods.

What is more is the concern for regulation in the mediation field. As a rapidly developing and growing alternative to formal dispute resolution, mediation is not formally regulated (Hinshaw, 2016). As mediation emerged in the USA, there is a more sophisticated mediation process, in contrast to other countries throughout Europe (Medina, Vilches, Otero, and Munduate, 2014). Some countries have legislation governing mediation services, for example Lithuania (Medina et al., 2014), in contrast to other countries, such as Ireland. Ireland only enacted the Mediation Act in January 2017. This places greater recognition on mediation services in Ireland and has overarching benefits, as mentioned previously (Irish Statute Book, 2018b). Whilst there are a range of courses available in Ireland for someone to become a mediator (for example IBEC) The Mediators' Institute of Ireland sets the standard for mediators to adhere to (Mediators' Institute of

Ireland, 2018) in comparison to other services such as the Advisory, Conciliation, and Arbitration Services (ACAS) (Medina, 2014).

Cultural Impact on Mediation

As previously mentioned, culture can often play a role in determining the management of conflict in organisations. Hofstede's cultural dimensions also underpin the culture in a particular environment and define the underlying culture of an organisation or group (Hofstede, 2018). For example, in Ireland, with a low power distance ranking, people feel that we should all be equal. In the employment relationship, which is usually hierarchical, employees may not feel equal to one another, which may then lead to conflict. This can often be associated with organisational structuring but relationships are often informal and parties rely on one another (Hofstede- Insights, 2017). Furthermore, in a highly individualistic country, Ireland's culture can be described as one of "looking after themselves" or the "I" versus "We" mentality. This is starkly in comparison to other countries, such as Korea, where mediation can often be mandatory through judicial, administration and institutional mediation implementation (White and Sae Youn, 2017).

Whilst it is clear from the above discussion that culture can underpin and influence conflict in organisations, there are also numerous models and strategies that can be implemented to assist dispute and conflict management. According to Gulliver (cited in Moore, 2003), a disagreement only turns into a dispute once the individuals are unwilling to reach an agreement or resolution. For disputing parties, Moore (2003) suggests that the first instance is negotiation. If this does not lead to reconciliation, then mediation will be introduced. Individuals or groups that turn to mediation are seeking out assistance in moving past conflict. Bush and Folger (2005, p. 51) believe that parties are looking to undo the "negative spiral" affecting their relationships and thus restoring their day-to-day lives and relationships.

It is evident that culture and the type of culture fostered in an organisation can impact the approaches to mediation. The author aims to explore whether this impacts the conflict style in a financial services organisation in Dublin.

Conflict Theory

According to Bush and Folger (2005), mediation and conflict are underpinned by conflict theories: power theory, rights theory and needs theory, which depict human conflict. These are discussed in conjunction with the proposed transformative approach of mediation and offer a rationale as to why people seek assistance through resolving conflict. Bush and Folger (2005) believe that this assists conflict management by "transforming" the conflict. It involves removing the negativity associated with the conflict and turning this into a positive and learning opportunity to move forward, which focuses on the future.

This research is further underpinned by an important piece of work by Bennett (2014) which forms the basis of the conceptual framework of this study. Bennett (2014) conducted thirty-six interviews in the higher education sector in the United Kingdom and the main drivers behind this work include:

- "What were the perceived key drivers for introducing mediation in the organisation?
- How did the process work in practice?
- To what extend does context determine sector specific elements of mediation?" (Bennett, 2014, p. 769).

The study identifies a number of elements that are of importance to mediation and its introduction (Bennett, 2014). Although this study was based in universities in England, the author will explore the findings and see if they are applicable to an

alternative sector, specifically the financial services sector in Dublin. Through this study, Bennett (2014) delves further to understand the development of mediation within the higher education sector and more specifically the rationale as to why mediation was introduced. This research was carried out by conducting thirty-six qualitative interviews. The author will be using this as the backbone of the current research and to draw on new findings, which will be discussed in detail in the next Chapter.

From the review of the literature, further themes emerged and were incorporated into the design. Bennett (2014) found that the main drivers for implementing mediation was cost saving and the need to introduce an informal conflict resolution method in the organisation before looking towards formal methods. In addition, Bennett (2014) found that the main reasons for conflict in the higher education sector were a failure in communications, bad management and the demise of a relationship. The most appropriate case for mediation was found to be those raised through a grievance route. All interview participants also reported that the type of mediation adopted by their organisation was facilitative mediation. Another noteworthy finding was that 25% of the organisations surveyed did not train HR staff as mediators, citing that the impartiality of mediators may come into question. Another area of interest is that of internal and external mediators to the organisation. Given the evolving managerial role, this is an area which the author will explore further. From the review of literature, the author identified conflicting ideas concerning the timely introduction of mediation in a conflict (Dean et al., 1993; Stipanowich and Lamare, 2014; Sterna, 2015).

Role of Parties in Mediation

Whilst literature has highlighted some key elements pertaining to mediation, the role of the mediator in the conflict plays a vital part in the success and outcome of the mediation. As a third party, the role of a mediator is one of facilitation (The Mediators' Institute of Ireland, 2018). Cheşcă, Sandle, Babenko and Azizov

(2015) further discuss the ethically binding elements of mediation, such as confidentiality and remaining impartial to the conflict which need to be taken into consideration. As an alternative to formal dispute resolution methods, mediators must maintain their neutral stance throughout the conflict if they are to remain impartial and let the parties settle the dispute themselves (Stulberg, 2012).

Whilst Solstad (1999) is in support of the ideas proposed by other literary sources regarding neutrality, it is also worth noting that mediators must also be active in the dispute, as passive mediation will not resolve the conflict. In contrast to this idea of an active neutral stance being adopted, Rifken, Millen and Cobb (1991), albeit slightly outdated, pose the idea that neutrality hinders the construction of a resolution. They argue that there has not been enough research to validate the role neutrality plays in the mediation process. Largely, Rifken et al. (1991) attribute this to the confidential nature of the mediation. Whilst the author understands this viewpoint, further studies, such as the work of Stulberg (2012), Moore (2003), and Bush and Folger (2005) have further contributed to research in this area.

A positive correlation was found between the skills possessed by the mediator and the willingness of the participants to contribute during the mediation sessions (Mareschal, 2005). A strong mediator will be able to involve participants. The success of the workplace mediation is further underpinned by the unbiased nature and neutrality of the mediator as mentioned (Valeev, Sitdikov Sitdikova, and Gabidullina, 2016). Whilst there is no confirmed instance during a conflict when mediation should be introduced, Teague, Roche and Hann (2012) note that mediation is typically only introduced in the latter part of a dispute, when the parties are not co-operating with one another. In contrast to this, the ideal time to introduce mediation would be from the outset to avoid the situation escalating further.

Approaches to Mediation

Whilst neutrality and bias are elements to be conscious of, Bush and Folger (2005, p.44) describe three integral styles of mediation commonly adopted to assist the process: "facilitative mediation, evaluative mediators, and activist mediators". Whilst many authors are in agreement with this classification of these processes (Bush and Folger, 2005; Della Noce, 2009), facilitative mediation is the most commonly adopted form of mediation and allows mediators the opportunity to 'facilitate' the mediation session to reach an agreement (Sandu, 2014; Bennett, 2013). Evaluative mediation can be described as the mediator assessing the situation and orchestrating some of the outcomes of the mediation. In addition, this can be implemented by assessing the strengths and weaknesses of each side (Della Noce, 2009). Della Noce (2009) discuss views raised by other authors in that evaluative mediation differs from that of transformative or facilitative mediation by guiding the parties in favour of what the mediator envisage the outcome to be, after analysing the situation. Bennett (2013) parallels directive mediation as an additional noteworthy form of mediation. The author has identified a number of similarities to that of evaluative mediation, whereby the mediator suggests recommendations for the parties involved (Bennett, 2013).

The third approach, activist mediation, does not appear to be as widely recognised. Activist mediation is aptly described by Susskind (cited in Da Silveira, 2007, p.31) as "not neutral but rather nonpartisan with regard to the outcome…the activist mediator is "an 'advocate' of the 'best possible outcome,' though he or she maintains a posture of disinterest toward the parties individually". Although these three categories of mediation are commonly used, Riskin (2005) recognises the two main processes of mediation being that of evaluative and facilitative mediation. Whereas Della Noce (2009) proposes transformative mediation as the additional approach, in place of activist mediation. Literature would suggest that mediators implement a mix of these. Moreover, a study carried out by Della Noce (2009) found that 62% of mediators practiced evaluative mediation. The author finds this surprising, as literature

would indicate that mediation is a facilitative process but in contrast, Della Noce (2009) findings show this is assisted through evaluative mediation being practiced. One might question the impartiality of mediators using this method as the lines may become blurred.

While there are different approaches to mediation that can be adopted by a mediator, the process of the mediation must firstly begin with both parties' willingness to communicate with one another (Moore, 2003). Moore (2003, fig 2.3, pp. 68-69) identifies a twelve-step mediation process:

> Establishing the relationship, selecting a strategy to guide the mediation, collecting and analysing background information, designing a detailed plan for mediation, building trust and cooperation, beginning the mediation session, defining issues and setting an agenda, uncovering hidden interests of the disputing parties, generating options for settlement, assessing options for settlement, final bargaining, achieving formal settlement.

In comparison to Moore's (2003) twelve-step mediation process, Lintner, Jenkins, Junfola, Murphy and Goldman (2012) propose a seven-step process. This covers aspects such as the decision to mediate (in comparison to other alternative dispute resolution methods), assessing the best time to begin the process, selecting the right mediator, preparation and reviewing all documentation, conducting the mediation session(s), agreement and finally, summarising the mediation and agreement. Although the length of these methods vary, the essence remains the same and is often adopted differently by different mediators and dependent on the style adopted. Although it is not apparent whether this is followed in practice.

Moore (2003) indicates that the stance and role of the mediator involved in the mediation has three options available: social network mediators, authoritative

mediators and independent mediators. The role adopted by the mediator can often influence and sway the outcome of the mediation (Moore, 2003). A social network mediator is someone known to both parties and intervenes in the conflict. This contrasts with previous literature discussed (Bush and Folger, 2005; Della Noce, 2009; Gunnigle et al., 1997), as it would raise the question of whether such a person is truly impartial and unbiased in this particular circumstance.

According to Moore (2003) the second type of mediator is an authoritative mediator, that is someone who is more superior or senior to the parties involved in the mediation. The last approach discussed is that of an independent mediator. Literature suggests that a mediator must remain independent of a dispute and further in keeping with this, the Mediators' Institute of Ireland would recommend a neutral and independent mediator for a conflict (Mediators' Institute of Ireland, 2018).

Internal and External Mediators

Mediators can be external to an organisation or internal. Often times, internal mediators play a dual role as line managers or human resources staff (Kasserman, 2016). While this can be hugely beneficial to all parties involved, Kasserman (2016) further raises areas of concern for internal mediation. Confidentiality is an element that is revisited regularly in the course of mediation and particularly in the literature. This is attributed largely to the protection of the parties involved and to ensure that the mediator adheres to this too (Kasserman, 2016). Another issue can be the size of the organisation which impacts upon the use of internal or external mediators. Typically, a larger organisation may have more resources available and may be removed from the issue, whereas in smaller organisations this may not be the case. Bennett (2014) found that 25% of those surveyed chose not to train HR practitioners in mediation. They felt that this would raise concern over the impartial nature which a mediator must portray (Bennett, 2014).

However, in contrast to the above critique of internal mediators, whilst a majority of those surveyed in Bennett's study (2014) did train staff in mediation, the concept of "insider-partial" mediators is explored in detail through Svensson and Lindgren (2013, p. 699), which offer validation for internal mediators involved in conflict. Svensson and Lingren (2013) argue that mediators within an organisation would have a stronger need to uphold and maintain a trust of the parties involved. In contrast to this, they feel that someone removed from the situation does not hold the same belief. An internal mediator would possess a higher level of knowledge and trust within the organisation, although Svensson and Lingren (2013) recognise that the majority of research into this area is concerned with external mediation. This is an element which the author will be exploring further in the subsequent chapters to identify the most appropriate for a financial services organisation.

Managerial Evolution

Torrington, Hall and Taylor (2008) discuss the need for the Human Resources function to be ever evolving to cater for new trends in the employment industry. Among trends such as flexible working arrangements, Torrington et al. (2008) identify the role of line managers in becoming more prominent in the employee relationship. However they found the suggestion of line managers taking on day-to-day HR activities has been met with barriers and often a lack of interest and skills. Traditionally, managers would undertake the role of "planning, organising and controlling" (Kozina, 2014, p. 97). Kozina (2014) discuss the option of a manager or a senior executive managing a conflict through mediation.

In keeping with an ever changing work environment, managerial roles are constantly evolving from Mintzberg's original ten roles (Pearson and Chatterjee, 2003). Mintzberg's roles were categorised into three sub- sections: "interpersonal

roles (Figurehead, leader, and liaison), informational roles (monitor, disseminator, and spokesperson) and decisional roles (entrepreneur, disturbance handler, resource allocator and negotiator)" (Pearson and Chatterjee, 2003, p.695). Mintzberg identified the strengths and new categories for management roles in comparison to the classical mould. It is Mintzberg's decisional role concerned with negotiation that is of interest and further describes the role of a manager in representing the organisation in a negotiation or grievance setting. According to Pearson and Chatterjee (2003), there is need for the re-evaluation of the role of a manger in today's rapidly changing environment. In a study undertaken by Pearson and Chatterjee (2003), one finding further supports the idea that a number of cultural and contextual variations underpin the changing managerial context.

Given the evolving role of mangers, Kozina (2014) supports the idea of a manager being a mediator. Whilst typically a mediator is a neutral third party, Kozina (2014, pp.103) suggests that a manager at a "suitable level of hierarchy" can assume the role of mediator. The previous work of Crawley and Graham (2002) would further underpin that of Kozina (2014) in that managers should be equipped with the necessary skills of mediation. They believe that external mediators are often brought in too late in the process, when the damage may already have occurred. Crawley and Graham (2002) also recognise the value that skills of mediation can bring to organisations, that can be utilised from the first instance. It is important to recognise that whilst not all managers are suited to become mediators, it is a valuable skill set to learn and utilise in the day-to-day environment (Crawley and Graham, 2002). While the benefits of mediation are numerous, so too are the number of organisations using mediation, with some noteworthy successes, such as United States Institute of Peace who come together in their efforts to leverage learnings and mediation in Colombia and actively with the FARC movement (Fuerzas Armadas Revolucionarias de Colombia- The Revolutionary Armed Forces of Colombia), regarded by some as an illegal/ terrorist group. In Ireland, the Law Reform Commission has enacted and encourages the use of mediation in resolving disputes, in an effort to assist long

waiting times in the Court system (Law Reform Commission) and similarly with the Workplace Relations Commission (WRC).

The role of a manager in today's environment is to lead by example and implement changes across the organisation (Maurya and Sharma, 2017). Managerial skills are concerned with the knowledge of an individual to fulfil their role in an organisation (Maurya and Sharma, 2017). In further agreement of this is Shackleton's (1995) definition of leadership, which is concerned with an individual reaching the organisational goals through team efforts. Managerial styles and skill set differ from person to person but three leadership skills identified by R. Katz, include "technical, conceptual and interpersonal management skills" which are applicable to all circumstances (cited in Maurya and Sharma, 2017, p. 12). The role and scope of a manager has developed throughout the years, when at one time it was commonly accepted as "leaders were born and not made" or referred to as the "Great Man Theory" to the now more commonplace acceptance that leaders and managers can be developed through coaching and training (Hitt, Black and Porter, 2014).

Through the development of the managerial role, the human resources function now places a greater emphasis on the role of the manager in the employment relationship (Poitras, Hill, Hamel and Pelletier, 2015). An interesting finding of a study by Poitas et al. (2015) was that organisational commitment could be influenced by the leadership ability of their manager. This not only reinforces the seminal role of a manager when leading and managing people, but also the importance of training. Commonly, the first instance for an employee with a grievance is to turn to their line manager (Burr, 2016). For this reason, it is important for managers to be properly equipped and aware of how to handle the situation appropriately. Furthermore, Poitas et al. (2015) reiterate the role culture plays on the individual seeking assistance with workplace conflict.

Whilst there are a number of ways managers can intervene in a conflict in the workplace, mediation is just one of these ways (Poitas et al., 2015). For the primary research, the role of the manager involved in mediating is most relevant. Crawley and Graham (2002) suggest that skills such as listening, adopting a non-judgemental stance, maintaining a 'level head' and remaining confidential are among the key skills to be possessed by mediators. In contrast to these, Poitas et al. (2015, p. 107) believe that those involved in mediating need to possess three main skills: "cognitive, emotional and behavioural" to manage conflict. Additionally, Schreier (2002) recognises the importance that emotional intelligence plays in conflict resolution and the impact that this can have on the parties involved. Emotional intelligence has often been defined as a factor which can impact the relationship between line managers and staff, "emotional intelligence is an ability to understand the feelings and emotions of self and others and make shrewd decisions based on this understanding" (Mayer and Warner,2004; cited in Muhammad and Fazal, 2018, p. 13). This literature suggests regulation and training for mediators as an area for development when compared to professions such as law. An interesting finding of this study was that respondents who had received mediation training still encountered situations where they were ill equipped to deal with the emotions of the parties involved in the process (Schreier, 2002).

Leadership and Management Styles

Through the emergence of the leadership concept, a number of different leadership styles adopted by managers emerged: Blake and Mouton's four leadership styles; McGregor Theory X and Theory Y; Hersey and Blanchard; and Goleman's six leadership styles (Torrington et al., 2008). Whilst there are always areas for improvement and development, MacNeil (2003) (cited in Torrington et al., 2008) addresses the need for knowledge management across organisations. In addition to above skills and theoretical frameworks, Crawley and Graham (2002) suggest that for managers to be trained in mediation, rapport building is integral to the success of moving past conflict in organisations. Building rapport may not be

something that comes naturally to everyone but is a means of finding a common ground and being relatable and understanding. Crawley and Graham (2002) suggest that good listening skills and a lack of bias are important to mediate successfully. Whilst the emergence of bias can be conscious or unconscious, it occurs when one party has a pre-existing prejudice or inclination towards another (Lundgren and Svensson, 2014). Lundgren and Svensson (2014) further discuss the notion that an unbiased and neutral mediator can only uphold the trust and equality of a mediation session. The author questions whether the involvement of a manager would disrupt this. According to Dunaetz (2010), conflict intervention and management is often considered a managerial role but also gives rise to an area for disagreement. Furthermore, the up-skilling and training required for managers is something that should be addressed (Teague et al., 2012).

The Role of Management in Workplace Mediation

Whilst it is evident that the parties involved directly in the dispute control the outcome and that the role of the mediator in facilitating this is crucial, literature highlights the evolving role of managers and places more responsibility on them to manage the relationship (Human Resource Management International Digest, 2016). Mediation might not be the first choice for everyone, but evidence suggests that it is definitely a more cost effective and often timelier method to resolving conflict (Grenig, 2016; Stipanowich and Lamare, 2014).

Organisations will often have a trained mediator who intervenes when the conflict reaches an impasse (Crawley and Graham, 2002). In addressing the evolution of managers, Crawley and Graham (2002) are in support of managers possessing mediation skills. "Not all managers will make good mediators, but the mediation approach will make all managers better" (Crawley and Graham, 2002, p. 5). For the author, this is at the heart of the research. While evidence is somewhat constricted, managers possessing mediation skills will certainly not hinder the

relationship. Paired with the developing managerial role and function, the benefits are greater.

Wood et al. (2017) further support the idea of managers possessing conflict management skills. They propose that this can be achieved through the implementation of internal mediation training among organisations.

The Appropriate Time for the Introduction of Mediation

As result of the Gibbons Review (Gibbons, 2007), if a dispute can be resolved earlier, rather than later, this can have a much more positive effect for all parties concerned. In agreement of this, Stipanowich and Lamare (2014, p. 6) discuss early adoption strategies being implemented to combat conflict from an early stage- "Early neutral evaluation" and "Early case assessment". In contrast to this, Sterna (2015) suggest that for mediation to be successful, the disputants must be ready to mediate and reach an agreement. Additionally, Dean et al., (1993) are in support of early intervention, which is evident when disputants are involved in early problem solving. If the conflict has not reached this point, a resolution may be unlikely. In addition, it is suggested that confronting the opposing party may further infuriate the opposition and result in escalating the issue further (Sterna, 2015).

Wood et al. (2017) further support the introduction of mediation from an early stage and note that it can facilitate an improved success rate. However, whilst the literature references early intervention, a previous study in this area suggests that only after a period of 12 to 36 months or when all methods have been exhausted, mediation should be introduced (Regan and Stam, 2000). The author feels that the support for earlier intervention is stronger, as highlighted in previous sections, and that perhaps this is something which should be integrated into practices.

Future Developments

It is important to recognise that whilst mediation is an evolving theme, Lu (2014) raises the idea of mediation being mandatory for organisations. Coupled with the suggestion of introducing mediation from an early point in the conflict (Wood et al., 2017; Sterna, 2015; Stipanowich and Lamare, 2014), the author wonders whether these would have higher success rates for mediation. From an organisational perspective, this would be a cost reduction method, whilst from the perspective of the employees it would provide an informal route for resolving conflict in the workplace.

Adopting a different approach, Mania (2015) discusses the idea of moving to online dispute resolution. They cite the work of Ethan Katsh and Janet Rifkin in reaching a mediation settlement via email. With the rapid development of technology it would seem like a plausible route, although a little unconventional perhaps. In further support of the move online, Mania (2015) details two further successes; both American companies; SquareTrade and CyberSettle. Whilst upon first review, this idea seems favourable, Mania (2015) highlights a drop off in interest from 2000 onwards, stipulating high setup and maintenance costs of the platform to communicate and mediate through, as well as increased cyber security costs to ensure the confidentiality of the parties online.

Another emerging trend is one of med-arb (Pappas, 2015). Med-arb is the combination of mediation and arbitration. It combines the benefits of both practices, whilst including the conclusion of arbitration, mixed with the informal approach of mediation (Pappas, 2015). Pappas (2015) suggests that by combining the 'best of both', they are reaching a compromise between each process. The underlying principle of med-arb is that if the parties cannot reach agreement by way of mediation, binding arbitration is then introduced (Antona, 2014).

However, as highlighted by Antona (2014) the impartial nature of the mediator comes into question in this practice. Again, the importance of neutrality and bias is ever apparent and Antona (2014) questions whether one can remain impartial while adopting two roles. Whilst there has been success through this method this system is not universally adopted and forbidden in some court systems, for example, France (Antona, 2014).

Conclusion

While it is evident that mediation is still an evolving field, literature highlights the development of mediation as a form of alternative dispute resolution, whilst also identifying some alternatives to traditional mediation services offered, such as online dispute resolution and med-arb (Pappas, 2015; Antona, 2014).

Through the review of literature surrounding the development of the managerial role in organisations (Crawley and Graham, 2002; Kozina, 2014), the author feels strongly that this is an area which could benefit from further research. From the study of theory underpinning the managerial role in conflict, it is evident that mediation skills would be of benefit to managers. Similarly, the timing of the introduction of mediation in the conflict is perhaps something that raises questions. Furthermore, whilst there are a variety of methods for measuring the success of mediation, there does not appear to be one commonly adopted approach. Through an explorative study into this area, this research will aim to understand how the success of mediation is measured in a financial services organisation in Dublin.

This research will be informed by the work of Bennett (2014) which will form the conceptual framework and basis of the study. The author has identified a gap in research surrounding elements arising from the work of Bennett (2014), namely the appropriate time for the introduction of mediation and the involvement of

internal and external mediators. The next Chapter will discuss the research problem and aims of the research in further detail and discuss the application of this to workplace conflicts.

Chapter Three

Introduction

This Chapter will identify the aims and objectives of this research study. The author will discuss the research strategy adopted, the conceptual framework which underpins the work and data collection methods.

Research Aim

The aim of this research is to evaluate the role of mediation in a financial services organisation in Dublin.

Research Objectives

The author will examine the following research objectives, in order to assist the overall research aim:

- Identify at what point would conflict resolution would be most appropriate for mediation to be introduced.
- To explore the suitability of an internal versus external mediator's involvement in the mediation process in a financial services organisation.
- To gain an understanding of the rationale as to why the mediation process was introduced in a financial services organisation.
- To examine the success rate of mediation in the financial services organisation.
- To explore the impact of culture on conflict in a financial services organisation in Dublin.
- To explore the appropriateness of whether managers should be involved in the mediation process.

As an emerging field of study, literature and research into this area has been quite limited and only in recent years, have we seen an increase in this. Whilst the research that has been conducted offers valuable insights, it is unlike other dispute resolution areas, which are more established. The author considered that in particular, the focus on financial services organisations in Dublin had little literature and research material focused on this sector. In contrast to previous studies conducted in this field, many studies focus on the quantitative aspect of mediation in the workplace, for example the work of Latreille, Buscha and Conte (2012). This work will be underpinned by the research of Bennett (2014). Bennett (2014) has offered an alternative view of mediation through a qualitative approach, compared to predominantly quantitative research conducted in this area. Furthermore, this study (Bennett, 2014) was conducted in a higher education sector in the United Kingdom and the author will be exploring and comparing this in a financial services organisation in Dublin. This study will be conducted through the use of qualitative research and the specific collection methods and analysis will be discussed in further detail in the subsequent sections.

Research Philosophies

Research philosophy is predominantly concerned with positivism and interpretivism (Blumberg, Cooper and Schindler, 2011). This research will be grounded in interpretivism research philosophy. According to various authors (Blumberg et al., 2011; Raadschelders, 2011), interpretivism is guided by individual interests and the belief that the social world is guided by the meaning people instil in it. The researcher takes into consideration that ideas are subjective in nature and can be interpreted differently and so this will add an additional dimension to the research and will offer different viewpoints. To assist the study into the proposed subject area, the author also recognises that there may be some pre-existing bias or pre-conceived notions attached to this and from the outset is aware of these limitations.

With regard to the two distinguishing research methods: qualitative and quantitative research, whilst one research method is not more superior to another one; one may be more suitable than the other (Blumberg et al., 2011). The author has chosen to conduct qualitative research as the primary data collection method. Qualitative research was selected primarily based on the theoretical framework upon which the research is based but having also explored both alternatives, the author feels an approach which is focused on interpretivism and an in-depth exploration of opinions and feelings will more suitably address the research aim and objectives.

Whilst quantitative research was also considered, the researcher has decided that in order to address the aim of the research, quantitative data would produce limited detail and provide more statistical results. Qualitative research also has a number of benefits that were considered for their relevance to this study; predominantly the non-numerical data produced as result of this research method (Rahman, 2017). The researcher is attempting to gauge and collect opinions from interview respondents and as such, has decided that a qualitative approach is more suitable than a numerical, data based approach. This qualitative research approach will allow for a richness and further exploration into emerging themes which arise which may add more depth to the study.

Furthermore, having explored both qualitative and quantitative research methods the researcher does not feel that measurable research and findings will provide the author with the in-depth detail required to address the research question (Bryman and Bell, 2007). The author believes that in order to gauge opinions and feelings, as well as taking into consideration non-verbal and quantifiable matters such as body language, it would be most beneficial to conduct a communication study (Blumberg et al., 2011; Flick, 2014). Due to the limitations of the research, a cross-sectional study will be carried out. This can be described as an undertaking conducted at one specific point in time, as opposed to a study carried out spanning

years (Blumberg et al., 2011). The specific type of qualitative data collection will be conducted through semi-structured interviews, discussed in the following sections.

Underpinning the research philosophies are the ontological and epistemology assumptions one adopts (Saunders, Lewis and Thornhill, 2016). Ontology is concerned with "the nature of reality" whereas epistemology is focused on "assumptions based on knowledge" (Saunders et al., 2016, p.127). The author will be adopting an ontological assumption for this research, which will be further supported by interpretivism research. This will allow a greater inference onto the findings.

In addition to research being underpinned by philosophy, Cameron and Price (2009) discuss the need to differentiate between deductive and inductive reasoning in the first instance. Where deductive research begins with a theory, inductive research is focused on observations and derives theory from these (Cameron and Price, 2009, p.75). The researcher is adopting a deductive stance, which is based on the study by Bennett (2014) and findings will be compared for relevance.

Conceptual Framework

From a review of current literature, this research is underpinned by the work of Bennett (2014), which forms the basis of the conceptual framework of this study. Bennett (2014) conducted thirty-six interviews in the higher education sector in the United Kingdom and the main drivers behind this work include:

- "What were the perceived key drivers for introducing mediation in the organisation?
- How did the process work in practice?

- To what extend does context determine sector specific elements of mediation?" (Bennett, 2014, p. 769).

From these, Bennett (2014) developed an interview template with relevant themes, which the author will be basing their own questions on and adapting to explore the financial services industry. From the review of the literature, further themes emerged and were incorporated into the design. The findings of this study will be compared to that of this study in the following Chapter. Further areas of research that arose include the appropriateness of internal versus external mediators and the impact culture can have on conflict.

Interview Methodology

Having reviewed the methodological alternatives, the author is conducting semi-structured interviews. Semi-structured interviews allow for a certain degree of freedom for the interviewer. There is no rigid way of questioning and all questions do not necessarily need to be asked sequentially (Saunders et al., 2016). Semi-structured interviews also allow for a variety and abundance of information to be collected. It provides an opportunity for additional opinions or themes to emerge (Cameron and Price, 2009).

Whilst there are numerous benefits to conducting this type of research, the author is also aware of the limitations of this, which may influence the study. Some of these include projecting subconscious emotions or feelings onto the interviewee and the sheer volume of information which will be generated and the timelines associated with its analysis (Cameron and Price, 2009; Cooper and Schindler, 2014; Saunders et al., 2016).

Reliability and validity are elements which were considered. Saunders et al. (2016, p.202) define reliability as "the replication and consistency", that is "can this research be easily duplicated to achieve the same findings?". Validity is focused on "the appropriateness of the measures used, accuracy of the analysis… and generalising the findings". Whilst the author strives to conduct valid and reliable research, there are factors that can influence this, error and bias being most common (Saunders et al., 2016, p. 203).

Data Collection

The author will be conducting semi-structured interviews, informed by the work of Bennett (2014). The author will be adopting a non-standardised approach to allow flexibility with each participant. The interviews will be audio recorded and then transcribed. By conducting thematic analysis, the author will be identifying emerging themes through the interview.

The supports and flexibility of semi-structured interviews will be of benefit to the author as they explore emerging opinions and themes as they present themselves (Cooper and Schindler, 2014). In order for these interviews to be successful and to ensure all information is gathered, the author will be transcribing the audio recordings, but also will be relying on some key points, outlined by Cooper and Schindler (2014): developing a conversation and encouraging free flowing talk between the interviewer and the interviewee and probing further for responses and additional information.

Research Sample

In contrast to the work of Bennett (2014), who conducted thirty-six interviews, the researcher is limiting their research to seven semi-structured interviews. The original aim of the researcher was to conduct eight interviews, however this

proved difficult as result of work commitments and the time of year that these were taking place (summertime). Whilst the researcher is aware of the concept of saturation and that research should strive to achieve saturation in the chosen field of research, one of the limitations of this study that the researcher foresees will be the number of interviews conducted (Bowen, 2008). With this number (7) saturation is not possible and instead the information gathered will inform the field, but by no means be representative of the larger population. But this will nevertheless be a valuable contribution due to the limited research in this area.

The researcher conducted a pilot study prior to conducting the formal interviews. Pilot studies are hugely beneficial to research as conducting one can identify and alleviate issues, which may occur later by "piloting" the research method (Junyong, 2017). The researcher conducted pilot interviews with peers and family members to ensure there was a clear understanding of what each question was asking and to ensure the right phraseology was used to gauge responses. In this instance, there were two questions in particular which caused confusion and were unclear to respondents. The researcher re-worked these questions to develop a clearer set of questions to focus in on the research aims and objectives (appendix 4).

Of the seven interview participants, the researcher chose the participants for a variety of reasons to address the aim of the research:

Participant	Rationale as to selection
1 & 3	Practising mediators
4, 5 & 7	Involved in workplace grievances and conflict
2 & 6	Line managers with a broad range of experience in HR

Three of the participants were male and four were female, giving a mix of gender. The length of service in the organisation ranged from one to fourteen years.

Limitations of the research

Whilst one method is not better than the other, each has their own advantages and limitations. Commonly with qualitative research studies, the researcher is aware of the limitations associated with this approach. Whilst qualitative research can give rise to a predisposition or bias emanating from the researcher, so to can the structure of the interview question, which can result in leading questions or non-verbal communication signals emitted subconsciously. In addition, Cooper and Schindler (2014) readily recognise that whilst research may begin with qualitative research, it often can develop into a mixed method approach to "test the validity of the responses".

With qualitative research, literature suggests that this method for data collection can be subjective in nature and open to interpretation by the researcher (Bryman and Bell, 2007). Duplication of qualitative research studies can also often be difficult to replicate due to the subjective perspectives posed by the researcher and respondents. In contrast to qualitative research, quantitative research can be more readily adopted and for a researcher to gauge a truly representative sample, they should ideally have adopted a mixed method approach to the research.

A clear limitation of the research is also the number of participants being interviewed. The research should strive for saturation; however, there is no statistically agreed number that can be confirmed for this method. Given the sensitivity and confidentiality surrounding this area it may not be feasible to interview larger number of persons.

Ethical Considerations

Ethical issues have arisen out of the need to protect participants in the study and research (Flick, 2014). The author has ensured to remain compliant to the National College of Ireland's ethics policy at all times. As part of the submission of this work, the author submitted an ethics review form detailing the proposal of the study, which was approved by the ethics board of the National College of Ireland (see appendix).

Furthermore, to comply with the General Data Protection Regulation (in place as of 25 May 2018), all interviews will be conducted anonymously and the identity of the organisation will remain anonymous. The author sought written approval from the Head of the Human Resources Division within the nominated organisation to conduct these interviews and utilise the information solely for the purpose of completion of the Masters programme in National College of Ireland (see appendix).

Interviewees were provided with a participant consent form, which each individual was required to sign (see appendix). To comply with the General Data Protection Relation, the information collected was recorded on an audio device and stored electronically, password protected and encrypted.

The information collected will be retained specifically for the purposes contained within this document. Interviewees will remain anonymous and referred to as Interviewee 1, Interviewee 2, and the researcher will instead use a profile to describe each participant, as suggested by Bryman and Bell (2007). The participants involved in the research are not classified as vulnerable people, are all adults and so no ethical issues rise in relation to consent.

Chapter 4 Findings and Discussion

Introduction

This Chapter will be exploring the findings of the semi-structured interviews carried out among staff in a financial services organisation. These findings were grouped into six themes, of which, a number of sub-themes were also identified. These correlate to the aim and objectives of this study. The author also discovered some interesting outliers which became evident which will be discussed throughout the Chapter.

Theme 1- Timing of the Intervention of Mediation

When delving into this area, respondents were asked when they felt would be the most appropriate time for mediation to be introduced during conflict. The predominant finding was that mediation should be introduced at the earliest possible time. This is unsurprising as literature would support the view of early intervention and the positive impact of this (Dean et al., 1993; Stipanowich and Lamare, 2014; Wood et al., 2017).

"The ideal point is as early as possible but also before we get to a point where we're going down a formal route" (6)

"Sometimes it can be too late, generally it has escalated or the particular issue and working relationship maybe has become intolerable so I think we need to be sometimes quicker in identifying conflict" (3)

The below highlights an interesting remark noted by a participant around the degree of readiness for participants to be involved in conflict resolution. Whilst many recognise that early intervention can be very beneficial, participant 1 acknowledges that although this may be the case, the individual must be ready to address the issues and move forward. This alludes to research conducted by Sterna (2015), who would support mediation in the right context and when

participants are ready to be involved. This contrasting and insightful view is posed by one of the two mediators interviewed.

"If you have sat with that (conflict)…people will form a clearer picture on what has happened and crucially what they want and don't want…try mediate sometimes the emotions are very, very high and the clarity of thought around what you want or don't want out of this aren't as kind of…. Spelled out. It's not a timing thing, it's a readiness thing" (1)

This then leads onto the next sub-theme of the suitability of cases for mediation and specifically what is and is not suitable. Whilst most respondents noted few exceptions where cases would not be suitable for mediation, the most common conflict was that of interpersonal issues. Those conflicts that were noted to be unsuitable in some instances was as result of the gravity of the situation. This is in support of the findings of Bennett (2014) whereby the introduction of mediation was primarily for grievances and performance issues.

"Performance management and the conflict that can arise when you are trying to manage underperformance… I think you need to have both parties wanting to work together in the future" (4)

Theme 2- Internal and External Mediators

As an organisation with a mediation policy firmly in place, it is evident that there were mixed views on the suitability of internal mediators, with some participants favouring external mediators for a variety of reasons and some seeing no issue with both, which will be discussed.

"I think there are cases for involving internal and external mediators." (1)

Previous studies would highlight that the difficulty of internal mediators is maintaining the confidentiality and impartial nature of the role (Kasserman, 2016). One participant, whilst in favour of internal mediators, recognises that this

involvement comes with its own issues. Additional participants questioned the involvement and impartiality of internal mediators within this organisation. The question of impartiality and confidentiality of the mediator is of mixed opinion. Whilst the findings of Bennett (2014) work would highlight that in the organisations researched, only 25% chose to train HR practitioners in mediation.

"I would be concerned that an internal mediator would be deemed not to be…impartial…it's unlikely they could be completely impartial if the individual was related or was involved in that..." (4)

"Particularly it might be that our mediator currently sits within HR and...people would perceive this as maybe a doubt on the neutrality of the mediator and (question) whose interests are they representing- HR and the organisation or the individuals... " (2)

Participant 4 specifically spoke of their involvement in a mediation and from having an awareness of the importance of impartiality, removed themselves from the situation.

"I could have done the mediation but I was too involved" (4)

Within this organisation, there are two trained and qualified mediators, both of whom sit within the Human Resources Division. Participants acknowledged that this could be problematic for some individuals.

"Well we currently have two trained mediators, which are both based in HR. There is a capacity to use an external party and say…if there was an issue and they weren't comfortable with either, I mean they are in HR and for some people can be an issue, they don't want to enter our remit, that's fair enough" (5)

Nevertheless, the appropriateness of an external mediator and the impartiality is an area that receives more than half of the support. Interestingly, both mediators interviewed did not raise any concerns over the impartiality of an internal

mediators involvement. One could summarise that internal mediators had an obligation to the organisation, as literature has also suggested (Svensson and Lindgren, 2013). But in contrast, the five other respondents raised this an area of concern.

Participant 4 recognises the need for an individual whom is removed from the situation to be involved in the form of a mediator.

"When people are at a point where they are considering mediation, it is a fairly vulnerable place so they don't want to take any risks so may prefer someone external" (4)

Similarly, participant 3 also recognises the value that an external party may bring with it. It is also interesting to note that Participant 1 & 3 are both internal mediators but still recognise the importance of this element.

 "We don't have an external panel but that's not to say that that couldn't change into the future" (3)

An outlier which emerged from the discussion was of the impartiality of the mediator. Whilst impartiality is an essential part of the mediation process, the idea of a mediator being "multi-partial" was interesting. This is a related area to that raised by Svensson and Lindgren (2013) who discuss the "insider-partial" mediator.

"Somebody said that as a mediator you aren't impartial...you are multi-partial: "I am standing up for both sides"" (1)

Theme 3- Introduction of Mediation

The next theme which emerged was that surrounding the introduction of mediation across the organisation. Some participants in this study were recent joiners of the organisation (one year), whereas others had been long-serving

(fourteen years) and had a greater understanding and awareness of the organisation. This is evident through the varying degree of awareness of the mediation policy in the organisation. Some participants were not able to comment on when or why it was introduced, however those that had an awareness were able discuss this area explicitly (1) (4) (6) (7). Whilst those who had specific involvement were able to confirm the policy's introduction in 2012.

 "*There are managers who don't know about it and that is exists so it's very under the radar and is very confidential work*" (5)

The next sub-theme explored was the rationale as to why mediation was introduced. Similarly, not all participants were aware of the reason for the introduction of mediation in the organisation, however all respondents had a personal opinion as to why it was introduced, cost being a common factor. A prominent element which was evident was the need to offer an alternative to the formal dispute resolution method.

"*To save us a lot of money in legal fees!*" (2) (3)

 "*There is a tendency to go straight down the formal route and procedure...there is a break-down or communication and obviously not something hugely serious, mediation is definitely a good first instance*" (2)

Another sub-theme that emerged was regarding future developments in the field of mediation. Participants felt that more could be done by the organisation itself to support and promote mediation. This can be seen through participants identifying areas of training or the need for an Advisory team to maintain their role.

"*Probably should be made stronger is a requirement for organisations to do everything they can to embed mediation as a practice and an offering*" (1)

"*A requirement to equip and train all involved, managers, HR professionals and general staff*" (1)

An interesting sub-theme and outlier which emerged from this was the ownership of the mediation process. Often literature would suggest it would be the responsibility of the Human Resources division. Similarly, Bennett (2014) found that 75% of organisations chose to train staff in the area of mediation and up skill current employees. However, three respondents raised this as an area which would benefit from further investigation. This would be in contrast of the more traditional view that the Human Resources team will solve all the issues related to personnel- *"HR is here to help with anything to do with human beings"* (4)

"Mediation often lives with HR but it is a very, very different approach than HR is used to" (1)

"I do think this can be seen as HR solving the problem" (2)

Theme 4- Success of Mediation

It is clear that success can mean different things for different people. Through the exploration of mediation in a financial services organisation, it is evident that not everyone had an in-depth awareness of mediation or its introduction in the organisation. To explore the success rate of mediation in a financial services organisation, this proved quite difficult as not everyone was aware of this or indeed, the outcomes or measurements, except those directly involved in the process. Similarly, whilst Bennett (2014) highlights a success rate of 75%, how this has been achieved is it not detailed.

What was apparent was a clear theme regarding the confidential nature of mediation. Mediation is a confidential services offered to those who need it. Its availability may not be known to those not requiring the service.

"I think you're aware of it if it's something that is relevant to you" (6)

"I suppose the nature of mediation is that it is very confidential and that it is done, I don't want to say on the QT because that makes it sound very cloak and

dagger, but it's done very discretely and as it should be so actually I wouldn't even be aware of how often mediation is invoked, except very generally or informally" (1)

Those who had direct involvement in mediation either through being qualified mediators or their involvement in conflict management were able to comment on the success of mediation. Whilst this measure can be different depending on the respondent, it was evident that the majority of these were future oriented. This is in agreement with that of Dean et al. (1993) who categorise the success into long-term and short-term results.

"My bare minimum measure of success is that no one person is worse off for having done it. Which doesn't sound like a very good measure or a high bar to get off but actually in a conflict situation, it is very, very easy to inflame things and make it work so as a minimum I always work very hard to make sure no one is any worse off for taking this and everything beyond that is a success for me- are they more informed about their rights and responsibilities, are they equipped for a better understanding of what happened to them and how and why they reacted" (1)

"I mean a successful conclusion that is up to and concluding a written agreement with touch points that is future focused" (3)

Regarding the success rates and metrics across the organisation, there was only one participant who was able to confirm the number of the mediations which have taken place and the outcome of these mediations: the mediator with most experience within the organisation. They reported a success rate of 86%. In contrast to the work of Bennett (2014), respondents reported an average success rate of 75% across the sixteen universities that participated. Whilst the success rate of 86% within this organisation is not comparable to the work of Bennett (2014), it provides a comparison point. In a prior study conducted in the context

of community mediation, Roehl and Cook (1989) report a success rate of between 67- 87% (cited in Dean et al., 1993). Whilst these works do not specify the measurement of success, participant 3 measures the success within this organisation as reaching an agreement.

"*Seven mediations...since I've been here… All but one has been brought to a successful conclusion*" (3)

However, another participant that was closely involved in the process had a good awareness of the uptake and success rates across the organisation.

"*I think the mediations we've done have resulted in positive outcomes most of the time. There is only one I am aware of that didn't conclude and one of the parties said he didn't want to continue so it was paused*" (5)

As stated above, there have been seven mediations since the introduction of the mediation policy in the organisation. However, whilst this may appear to be a low figure, it would need to be explored in the wider conflict of grievances and cases raised.

"*I don't think it's unusual. You would need to measure that against the number of overall issues that are arising…are we seeing widespread conflict here. I don't think we are. I think having a mediation policy in place is a great step for us. Whilst the uptake isn't significant, I wouldn't measure the level of success on the uptake- it has to be looked at in the context of the culture, how often these situations arise. With mediation, the beauty is that its voluntary, its people who want to be there and move forward and want a solution*" (6)

A limiting factor of the research was a lack of awareness from the parties who were not directly involved. Other respondents focused on the elements of a good and successful mediation by discussing the feelings and future orientations of participants.

"When the right mediator is picked, when both parties are sincerely on for it and when both parties have enough trust to listen to each other- you need those things for it to be a success…both parties wanting to work together in the future" (4)

Theme 5- Cultural Impact

The impact that organisational culture plays is something which we have seen in the literature and also in the work of Bennett (2014). The author explored this area and found two sub-themes emerging. Firstly, the type of culture the organisation has can play a significant role with regard to perceptions toward conflict.

As a public sector organisation, this can perhaps have an associated or perceived culture already in place in the organisation. In contrast to private companies, a public sector- type organisation is often more transparent in terms of salary scales and interview process and feedback. One participant in particular highlighted that a more open and transparent culture creates harmony among staff as they are not "pitted against one another".

"Public sector…not competing with one another" (1)

"Evolving...would have been a very public service type culture...it is much more…open culture, it has a lot of diversity" (3)

As an organisation which is very much knowledge based, it is noteworthy that participants feel that this culture is very much evolving in line with "the times", in a move away from the traditional perception.

"A very collegiate culture and very collaborative environment" (6)

 "Very progressive, so it's a very inclusive culture" (7)

However, there was also a recognition that in some areas of the organisation, there is a different type of culture and this can affect things in different ways.

"I think that in other areas, it is definitely a lot more closed in than that...there is definitely a different culture there...it is heavily unionised, you know people are a lot more suspicious of what is done" (2)

Participants also noted that there is an approach adopted towards conflict and the need to address it directly. This would further support the work of Hofstede (2018) and in keeping with the cultural dimensions identified. Whilst the work of Hofstede (2018) would identify Ireland as an individualistic culture and an unequal status amongst staff, the respondents would have a more open attitude to conflict and the need to address this.

"We need to know where this is going to have it resolved, we need it to bubble up and to get a resolution, against having something fester...introduction of our mediation policy, we have an openness to resolving issues... "(3)

"I'm afraid I like to poke the bear because we need to have something happen. (With the) introduction of our mediation policy, we have an openness to resolving issues under the policy" (3)

Secondly, people's attitude to conflict was also found to be impacted upon by the culture in place in the organisation.

"A lot of areas here in the organisation, people are very open to new ideas, any new policies or new initiatives that HR or whoever bring out, they can see the good in them" (2)

Theme 6- Line Manager Involvement

The extent to which line managers have a responsibility and involvement in the mediation process was an integral theme explored throughout the interviews. This is an area which all participants recognise as noteworthy. With the evolving

managerial role and remit, participants recognised the need to support line managers in assisting and managing conflict in the workplace. Throughout recent studies, we have seen managerial roles evolving from the three traditional roles identified by Mintzberg (1971) to adopting more responsibility, although not always a welcomed development (Crawley and Graham, 2002; Kozina, 2014). Specifically, Kozina (2014) supports the training of managers being equipped with the skills of mediation.

A sub-theme which arose as result of exploring this area was that line managers are often the first point of conflict for staff who have any issues.

 "*I would imagine that if there was a similar scenario in another area in the organisation that the staff member's would go to their line manager first*" (2)

Whilst this was recognised in most circumstances, there was also an integral element of trust which was needed for this to be successful. If the organisation is going to let line managers handle first instances or issues which arise that are brought to them, they need to be trusted to bring matters to finality or escalate the issues to the appropriate levels, if needed.

 "*There was a trust piece…I think line managers often feel they are meant to know what to do when conflict arises on the team and they find it very difficult to know how to manage conflict when…I suppose they aren't sure what side to take and they don't know how to not take any side*" (4)

Furthermore, the relationship between the line manager and staff member is something that needs attention if they are to handle the situation appropriately. This is an element which is evident throughout the literature surrounding line manager responsibility (Torrington et al., 2008; Kozina, 2014). This is an area that five out of the seven participants raised. There is now a strong recognition that with training and the appropriate supports, managers can be developed into being

equipped with the right attributes of good managers (Hitt, Black and Porter, 2014).

"I think as a line manager you have to be open towards that (style of managing)…that in this organisation people do have a tendency to go to their line manager in the first instance…in the first instance their line manager has the better relationship and should kind of have identified that there was issues before nearly the person needed to raise them" (2)

In keeping with the evolving theme of managerial development, there was a recognition that as a line manager, that addressing conflict situations is part of the role.

"They have a huge responsibility. It is a line manager's role to manage, lead and motivate their team. And to know what is going on within their teams" (6)

Whilst it was recognised that line managers have a strong responsibility to their staff, it was also noted that the organisation plays a role in equipping managers with the necessary skills. This is an area which arose throughout the interviews. Whilst one participant felt that the organisation could do more to help managers, another participant recognised the difficulties that some line managers may face trying to manage this. Participants felt there is an expectation on line managers to address issues but also, very much a shared responsibility that a good organisation should assist with this.

"I don't think that XXX does enough to equip them in a formal sense. If they are equipped, it would be as result of their tenure in employment" (7)

"Line managers often feel they are meant to know what to do when conflict arises on the team and they find it very difficult to know how to manage conflict" (4)

Also apparent was the recognition of the evolving line manager role and responsibilities across the organisation. This is evident through the work of

Torrington et al. (2008) who recognise that organisations need to be evolving with current trends and that the line manager needs to be involved in the employment relationship.

"There is no reason why a strong or good line manager can't bring the parties together...managers to be self-aware following training on how to have difficult conversations so that skill can be levied across many different types of scenario and meetings is very important. It depends how strong the line manager is at recognising there is a situation and having the confidence to approach it informally because they are best placed" (3)

A sub-theme of the line manager's role and responsibility arose around the necessary skills for the manager. This was an area which was mentioned only by the two practising mediators and recognised that it may not be suitable for everyone. In support and recognition that training can assist and support managers, literature would also support a shift away from "The Great Man Theory" (Hitt et al., 2014). Although both mediators interviewed raised this area and recognised that not everyone is suitable.

"You have to be able to read the room, read the people, and be flexible and be constantly paying attention to the small….challenging them... " (1)

"You can apply the skill set to other types of circumstances you know…listening is an incredible part of mediation, listening to the parties tell their story" (3)

However, participants highlighted the increasing internal promotion or change to organisational culture with more staff becoming line managers and with that comes differing levels of ability and experience.

"There are some areas within the organisation, the line managers are very competent in managing people...but I think there are other areas…where the roles

are more technical and the people management side of it is not at the forefront of their mind" (2)

Training of staff was a sub-theme which was associated with the responsibility of line managers. Firstly, there was the issue of awareness, or lack thereof of the supports available to line managers. In particular, five out of seven participants felt that there was a lack of awareness around mediation as an informal method of conflict resolution across the organisation. However, there was an acknowledgment that due to the confidential nature of mediation, perhaps this lack of awareness was to be expected.

 "I would be confident that there are line managers working here that have no idea what the process involves" (2)

 "I think it's one of those that until you have had experience or need to, you probably won't have a strong awareness of it" (6)

Regardless of this, there is still the need for management to recognise conflict and be equipped to manage this. Dunaetz (2010) identify conflict intervention and line manager involvement as part of the managerial role.

*"W*e *need management and managers to be able to have those good conversations with staff, that are future focused, that they are able to coach staff, and I will coach the line manager. We put the policy in place so that staff knew where they could go, how they could go about engaging a mediation process"* (3)

A gap in training and up skilling for managers was also identified by interviewees. As the organisation is very much a knowledge based organisation, people are respected for this.

"In an ideal world, where the line manager himself was trained as a mediator it would be very effective because it would improve the relationship between staff

and management. I think it's worth investing in staff and giving them that skill set of being a mediator" (7)

Another outlier which presented itself was that of the role of HR within the mediation process and training. Traditionally, participants felt that staff and managers would turn to HR in the first instance.

"HR...first point of contact" (4)

Whilst training would assist managers in dealing with and managing conflict in the first instance, there was a recognition that there would still need to be supports in place to assist with this and with more sophisticated cases.

"We do need and need to continue to have interventions in place. Regardless of all the training and prep, you will still need a support in place and that's what we have...real-time support for managers" (6)

Discussion

Through this research the author identified a number of findings. As this work was informed by that of Bennett (2014), this will be compared to the original findings.

The primary theme focused on the timing of mediation in the conflict. From a review of the literature, many would adopt a stance of "the earlier the better" however, it was not always the case in practice. Findings in this area would further support this. All participants referenced that early intervention and identification is best in preventing the situation escalating any further, however an interesting element that arose was that of the degree of readiness of the participants in the conflict. This was raised by participant 1: a qualified mediator with an in-depth understanding of the field. This strongly correlates to that of

"insider partial" mediators (Svensson and Lindgren, 2013). The degree of readiness recognises that while conflict intervention and mediation should be introduced as early as possible, one must also account for the degree to which the participants have considered the conflict and next steps forward. Although Bennett (2014) references early intervention, they also note that in some instances this can make things worse. This was something that was also recognised through this study.

Bennett (2014) found that 75% of their participants chose to utilise internal mediators. Mediations conducted in this organisation were conducted using one of two internal trained mediators, with a success rate of 86%. Whilst some participants referenced the availability of external mediators if requested, it was not confirmed whether this was the case. This was an area which the concept of impartiality arose quite strongly. Participants cited neutrality and impartiality coming into question through the use of internal mediators in the organisation and all felt that the organisation would benefit from a panel of external mediators too. These finding are in support of previous literature into this area (Kasserman, 2016), which found that whilst large organisations may be equipped to mediate situations using internal mediators, as is the case with this organisation, participants questioned the involvement of internal mediators. This finding would be in contrast to that of Svensson and Lingren (2013) who discuss "insider-partial" mediators. An interesting stance which appeared was the question of impartiality of internal mediators by both qualified mediators interviewed. Neither qualified mediator interviewed expressed any conflicts or concerns over the involvement of internal staff, whereas participants external to the process raised these concerns. One could question whether this was associated with a lack of awareness or an opinion of the general consensus.

With regard to the suitability of mediation in cases, it was found that issues raised through "Dignity at Work" and performance issues were found to be most

suitable. Participants also offered insights into what situation they felt were not suitable, such as those of an illegal nature or where the individual is feeling very aggrieved by the situation. This would be at the discretion of the organisation when referring cases for mediation and as there is a mediation policy in place, suitable cases could be highlighted.

Through an exploration of third theme, the introduction of mediation, it became evident that whilst all participants in the study were working in the Human Resources Division, there was a lack of awareness behind the introduction of the mediation policy and process across the organisation. However, those that had a good awareness were those that had prior experience or were directly involved as mediators. Although all participants did offer insights as to why they felt it was introduced. As the length of service of the participants varied, some of the participants were not employed by the organisation when it was first introduced, however only one individual could comment on its introduction and this was directly related to their involvement in the process. Corresponding to the findings of Bennett (2014) was the need to introduce an informal solution to prevent disputes escalating unnecessarily and the cost and time associated with formal dispute resolution was also cited. Furthermore, participants regularly cited the need for confidentiality over the process and a "need to know" type situation with regards to mediation.

With regard to the measurement of successful mediations occurring, this was not an area that many participants were able to comment on. Only participant 3 could comment on the uptake and outcome of the mediations. It was also apparent that success can mean different things for different people. Whilst participant 3 measures success by the parties reaching agreement, success for another participant was "*that no one person is worse off for having done it" (1)*. The uptake of mediation across the organisation was also quite low: "*six or seven*" mediations took place since its introduction in 2012. However, as one participant

referenced, this would need to be compared to the overall uptake of grievances raised across the organisation. Whilst it was mentioned that all but one mediation was a success, this can be interpreted as a success rate of 86%. Compared with that of Bennett (2014) findings (75% success rate) this is quite a high success rate. Whilst this is not something that is measured formally or recorded in this organisation, it would be interesting and add an additional layer to the research.

The penultimate theme which was explored was that of the impact culture has on conflict across an organisation. Originally, when the author conducted a pilot study, this was an area which caused confusion and so, was improved and a slightly different angle was adopted. Bennett (2014, pp.773) found that "a mediation approach can complement that type of culture that universities seek to promote". The author chose to explore the impact that culture can have on the organisation. Whilst Bennett's (2014) findings would suggest mediation can complement the type of culture, literature would maintain that this affects the management of conflict in the organisation (Hofstede, 2018). In addition, the researcher found that cultural variations across the organisation can impact attitudes and perceptions to conflict. Across this organisation, there are two main cultures at play, one is open and accepting and the other one is hostile and conflict is more overt in parts. Furthermore, the attitudes towards conflict and perhaps conflict avoidance would not be as heavily embedded in this organisation as respondents cited an open and knowledge led culture.

The final theme that was explored was that of line manager involvement. Throughout the review of literature, there is a recognition that line manager responsibility and expectations of staff are evolving. Line managers have a responsibility to their staff and are often the first point of contact for numerous things. Whilst some literature would highlight a resistance to change for line managers (Torrington et al., 2008), this study provides further insights into the role of line managers and responsibility to staff. Findings suggest that this is a

crucial area with regard to conflict and the way in which a manager reacts to this can often be the determining factor for the rest of the conflict. A gap was identified through this research for further training for line managers to better equip them to handle the changing needs of staff in this organisation, which would further support the theory posed by Kozina (2014). Whilst some interviewees recognised that this can come from an innate ability or is associated with experience, all participants were in agreement that the organisation needs to be doing more to support and train line managers to better deal with issues and staff management.

One shortcoming of the research was a limited participant pool. While participants were selected for a variety of reasons as detailed in the previous chapter, the researcher had hoped to gather insights but this proved difficult. For the organisation in question, it is evident that there is a lack of awareness which requires consideration if the benefits of mediation are to be realised. All respondents felt that there were benefits to be reaped by the organisation for line managers to possess the skills of mediation, and that the organisation owed them a duty of care to support them in their evolving roles.

"In an ideal world, where the line manager himself was trained as a mediator it would be very effective because it would improve the relationship between staff and management. I think it's worth investing in staff and giving them that skill set of being a mediator" (7)

Chapter 5 Conclusion

Overview

The aim of this research was to evaluate the role of mediation in a financial services organisation in Dublin. The theoretical framework upon which the study was based was that of Bennett (2014).

Through this study, the researcher found that mediation is a valuable tool for use during conflict intervention. It offers a cost and time effective alternative to the more formal methods, as well as enhancing and supporting a more open culture within the organisation. The role of managers within the organisation appears to be quite a varied role. Respondents reported a mix of abilities and skills, but all confirmed that there was scope for further training and the author would be recommending conducting a detailed training needs analysis.

From the introduction of mediation policy in 2012 in the organisation, there have been "six or seven" successful cases of mediation. Whilst the practising mediator reported a success rate "of all but one", this leads the author to suggest an 86% success rate, based on one mediation per year, although not formally recorded. Although there are no formal metrics recorded as to the uptake, engagement or involvement of this process, participants of this study do not view this as a poor uptake overall. It was found that whilst the organisation used internal mediators, there is scope for external mediators to be engaged.

From the review of literature and the primary research conducted, the author feels that this study has contributed valuable insights to this area. Whilst the work of Bennett (2014) was conducted among higher education universities in England, the findings of this study are largely transferrable in their nature. Whilst recognising the similarities in their studies, the author feels that there are still

some "grey areas" which would benefit from further research, namely the involvement of internal mediators. This is an area which raised concern over bias emerging among internal mediators, however, it was also worth noting that this was not raised by the two qualified mediators. Perhaps this could be as result of their experience directly in the field. The other participants in the study spoke openly but many respondents did not have direct experience of mediation. Whilst all participants were working in the Human Resources Division and they were able to offer insights and opinions, some were quite vague in their responses.

The findings of this study would suggest that mediation still needs to develop and establish itself in the workplace. From the sample of seven participants, only three spoke of their direct experience of mediation, whilst the other participants had an awareness and knowledge of the process. As an organisation with a mediation policy in place, there does not appear to be a substantial uptake on mediation across the organisation. It would be interesting to sample a larger group to gauge further awareness of this outside of the Human Resources Division. In support of literature, all participants recognised that early intervention is most suitable during conflict and further recognise the impartial and neutral contribution external mediators make during conflict.

The cultural impact on conflict across the organisation was also another interesting finding. It is evident that there are two cultures at play across this organisation and whilst one recognises conflict and supports the resolution of this, the former is more overt and abrupt in terms of conflict. A further noteworthy finding which emerged was that of the need to support and equip line managers to effectively handle instances of conflict. Literature would support the evolving role of line managers, which can be seen through the work of Torrington et al. (2008) and Kozina (2014) however, in practice there appears to be a gap in knowledge and experience for line managers.

The author feels that nevertheless, this work will contribute to an emerging field and is nevertheless valid. Upon commencement of the research topic, the author had a general awareness of mediation, however upon further research, this proved a challenging topic as research was quite limited.

Limitations

The researcher found qualitative research studies in this area quite limited, which contributed to the rationale to conduct a qualitative study. Upon reflection, this study would have benefitted from a broader mixed method approach. The sample was limited to Human Resources staff and so, the participants would already have prior experience or awareness of mediation. Therefore, the responses were already skewed based on the restricted background.

The author was somewhat disappointed with the research findings which emerged from the study. The range of interview participants were chosen for a variety of reasons, as detailed in the research methods chapter and the researcher had hoped that this would add a variety to the work however in hindsight the participant pool was too broad and specific insights were somewhat limited. It is evident that whilst participants had an understanding of mediation, they were unable to comment specifically on this area. A number of participants cited the confidential nature of this work being one reason for their lack of specific detail.

A further limitation of the research was the limited sample size. The author wanted to research participants with an awareness of mediation who would be able to offer insights into this area, however those with in depth experience were limited within the organisation. Whilst the author attempted to gather a broad mix but still specific range of participants to interview, the research would have also benefitted from a larger sample. The author feels that in conducting a larger and mixed method approach that this would provide valuable insights into this area.

From conducting qualitative semi-structured interviews into this area, the findings, whilst valid, were limited as they represent only one section of people in a particular organisation. A further area for research could focus on a broader spectrum.

Further Research

As the study aimed to evaluate the role of mediation within a financial services organisation, the author would recommend conducting a quantitative study and survey line managers across the organisation. This would provide the researcher with a variety of opinions from across the different cultures that are apparent across the organisation. It would also not limit responses to within the one division. This would add a richness and comparable value which would further assist in evaluating the awareness of mediation across the organisation.

Additionally, a larger sample size would provide the author with a wealth of information. Whilst conducting quantitative and qualitative methods, a wider sample of responses to survey would provide information on the awareness across the organisation and similarly, a larger number of participants to interview would also be beneficial. An interesting theme which arose with Human Resources staff was the subject of internal mediators. Whilst both practising mediators did not refer to this, it would be interesting to discuss this topic with additional mediators to explore whether they consider this would be an area of concern to internal mediators, or whether they have the ability to be impartial.

A lack of detailed awareness was also another limiting factor from the research. The author feels that future research would strongly benefit from interviewing participants involved in workplace mediations. Participants would be able to
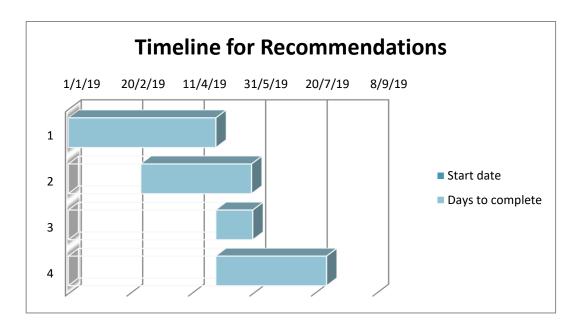
provide first-hand experience and insights into mediation. Furthermore, replicating this research in another field or sector in Dublin would also be interesting and provide comparable insights and dimensions to the work.

Recommendations

It is evident from this research that there are a number of recommendations for the organisation. These are detailed in the following diagram, ranked by most important and pressing.

Recommendation	Parties involved	Duration	Cost
1. Line Manager Training			
One day training programme delivered by Qualified Mediator	Learning & Development Team, Both internal Mediators, The Mediators Institute of Ireland	4 months	Not applicable - As result of resources in-house
2. "Mediation for Managers" E-Learning Module			
Developed assist managers with further condensed training in this area. Using the content developed from the training course, this will reduce the cost of the E-Learning module	External E-Learning provider (*Will need to be tendered for*)	3 months *(can begin once content has been designed for training programme)*	€30,000

3. External Mediator			
Whilst participants recognised the suitability for internal mediators, the option for external mediators is something which gained much traction. The researcher is recommending that the organisation utilise the services of an external mediation service. This would serve as an additional support for staff who would seek an outside person to mediate for sensitive or long-standing issues	Source mediator services from The Mediators Institute of Ireland and employ an external mediator on an "as needed" basis	Ad-hoc requirement- Case by case basis	€200 per hour
4. Awareness of Mediation			
The author identified a clear lack of awareness surrounding Mediation. Final recommendation is to implement this as part of the organisations Employee Value Proposition (EVP) offering	Human Resources Team	3 months	Nil
Estimated Total spend			
		10 months	€32,000 approximately

Timeline for Recommendations

Gantt Chart

Personal Learning Statement

After completing the Masters programme, the author feels that they have achieved something to be proud of. Balancing a challenging two year course part-time, alongside work and personal commitments was quite difficult. Prior to commencing this course, the author underestimated the time commitment and personal resilience that it would require.

The final year required a lot of dedication and sacrifices to be made to meet the final deadline. Upon reflection of this, the author feels grateful to have the opportunity and support to complete such a highly regarded course and also feels that there have a been a number of personal learnings achieved also. From completing this project, the author has learned a lot about themselves personally. The author experienced a number of set-backs throughout this project, for example, people who had committed to being interviewed in the research not participating. The author struggled with these set-backs and was disappointed with this as it often had a direct impact on the deliverables. The author has

developed research skills and also interpersonal skills, such as interviewing and the importance of asking the right questions.

If this research was to be replicated again in the future, the author would begin the primary research earlier in the process to allow for delays. The researcher would also conduct a mixed method approach to evaluate mediation across the organisation and not just from those within the Human Resources Division. This would provide a greater level of detail, which was absent from the original study.

Upon commencement of this Masters Programme, the author had a high level understanding of mediation. The author now consider that this is a cost effective tool for resolving workplace conflict and feels that this is something that every organisation should have in place and feels it is very worthwhile. The author feels strongly that they will pursue a qualification to become a certified mediator.

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Appendices

Appendix 1 – Dissertation Approval

Dear XXXX,

I am currently completing my final year of a Masters in Human Resource Management, in NCI. The final element is a thesis that I will be researching and writing over the next few months.

I am proposing to base my thesis on the role of mediation in a financial services organisation in Dublin. The research would focus on evaluating the role mediation plays as a type of dispute resolution. Further objectives that my study might look to include:

- To identify at what point would conflict resolution would be most appropriate for mediation to be introduced.
- Explore the suitability of an internal versus external mediators involvement in the mediation process in the a financial services organisation.
- To gain an understanding of the rationale as to why the mediation process was introduced in a financial services organisation.
- To examine the success rate of mediation in a financial services organisation.
- To explore the impact of culture in a financial services organisation in Dublin.
- To explore the appropriateness of whether line managers should be involved in the mediation process.

This research would be completely anonymous and I am further proposing to conduct a number (6) of anonymous in-depth interviews to explore this topic further. I would hope to interview mediators and managers with an experience of

conflict. These interviews would be completely anonymous and I would be obtaining explicit consent from the individuals involved.

I am hoping to obtain your approval to progress with this research. The findings will be used solely for the purpose of my Masters Thesis and would be completely anonymous.

I look forward to hearing back from you.

Kind regards,

Niamh Haskins

Appendix 2- Ethical Review Application Form

National College of Ireland

Human Participants Ethical Review Application Form

All parts of the below form must be completed. However in certain cases where sections are not relevant to the proposed study, clearly mark NA in the box provided.

Part A: Title of Project and Contact Information

Name

Niamh Haskins

Student Number (if applicable)

16111991

Email

niamh.haskins@student.ncirl.ie / niamhhaskins1@gmail.com

Status:

Postgraduate

Title of Research Project

To what extent should managers be involved in Workplace Mediation: An exploratory study in the Dublin Financial Sector.

Have you read the NCI Ethical Guidelines for Research with Human Participants?

Yes

Please indicate any other ethical guidelines or codes of conduct you have consulted

NCI Ethical Guidelines for Research with Human Participants.

Has this research been submitted to any other research ethics committee?

No   □

If yes please provide details, and the outcomes of this process, if applicable:

NA

Is this research supported by any form of research funding?

No   □

If yes please provide details, and indicate whether any restrictions exist on the freedom of the researcher to publish the results:

NA

Part B: Research Proposal

Briefly outline the following information (not more than 200 words in any section).

Proposed starting date and duration of project

We will be assigned supervisors in March 2018. The duration of project will be until 24th August 2018, when it is due for submission.

The research aims and objectives

- To identify at what point of conflict resolution would be most appropriate for mediation to be introduced. This will give an indication of whether early intervention in an informal setting could help mitigate against the damaging

effects of formal conflict resolution processes have on the relationship of the parties involved.

- To identify ways in which organisations can equip managers to assist with workplace mediation.

- To explore whether managers should be up skilled in the area of workplace mediation, in an attempt to resolve issues informally, in the first instance.

- To assess the awareness of workplace mediation in a Financial services company in Dublin.

The rationale for the project

Drawing on the literature provided by Kozina (2014), the role of the manager is something that has been deliberated over and identifies possible scope for further research into this area. This is further underpinned by the work of Crawley and Graham (2002) who support the idea of managers being trained in the area of mediation. Additionally, it is evident that more research would be of benefit when establishing an ideal time for the implementation of mediation in a dispute. Research highlights contrasting ideas in this regard, detailing that mediation is often used as a last resort (Dunaetz, 2010). Furthermore, there appears to be limited research conducted on mediation, as a form of alternative dispute resolution. Whilst this is still an emerging field (Bush and Folger, 2005), it is evident that there is scope for further investigation into this area.

The research design

The researcher will be conducting both primary and secondary research. The secondary research will begin with a comprehensive review of the literature surrounding the research topic. The primary data collection will be through

qualitative research methods. The researcher is proposing to carry out an explorative study into the area of managerial involvement in mediation. The researcher is hoping to gather rich information and opinions which will offer further insight into this area and address the aims of the research. The research theory that will underpin this study will be grounded in interpretivism.

The methods of data collection

The author believes that in order to gauge opinions and feelings, as well as taking into consideration body language, it would be most beneficial to conduct a communication study (Blumberg et al., 2011; Flick, 2014). The specific type of qualitative data collection will be conducted through semi-structured interviews. Also, due to the limitations of the research, a cross-sectional study will be carried out.

The research sample and sample size

The series of semi-structured interviews will be conducted by interviewing two trained and qualified mediators and two managers employed within a financial services organisation, in Dublin. The rationale behind this is to gauge perspectives from those in the mediation field and from managers who would be involved with employees on a day-to-day basis.

The nature of any proposed pilot study

NA

The methods of data analysis

The author will analyse the information gathered through the use of thematic coding and content analysis. This will involve an in-depth analysis of the

interviewing and identifying common "themes" or ideas which emerge (Flick, 2014; Blumberg et al., 2011).

| Part C: Ethical Risk |

Please identify any ethical issues which will arise and how you will address them.

The author will be providing each interviewee with a consent form, which will detail the purpose of the interview, some background into the subject matter, data protection issues will be addressed and will also detail where the interview recording will be stored and destruction details. Interviewees will also remain anonymous and referred to as Interviewee 1, Interviewee 2, etc. and the researcher will instead use a profile to describe each participant, as suggested in Bryman and Bell (2007). The participants involved in the research are not classified as vulnerable people and are all over eighteen years old so the researcher does not envisage any ethical issues arising from this. The information gathered from interviewees will be strictly for the purpose obtained and confidential.

Please indicate any risk of harm or distress to participants.

The researcher does not believe that any harm or distress will arise as result of the semi-structured interviews. The semi-structured interviews will be conducted in controlled settings and the participants will be informed in advance of the purpose of the study, as well as what will be done with the information collected.

Please indicate how you will address this risk (e.g. debriefing procedures, etc.).

NA

Do the participants belong to any of the following vulnerable groups?

(Please tick all those involved).

       □   Children; No

       □   The very elderly; No

       □   People with an intellectual or learning disability : No

       □   Individuals or groups receiving help through the voluntary sector :

No

       □   Those in a subordinate position to the researchers such as

employees: No

       □   Other groups who might not understand the research and consent

process: No

       □   Other vulnerable groups : No

How will the research participants in this study be selected, approached and recruited?

The participants in the study have been selected based on the literature underpinning the research project. The two qualified mediators were selected because of their mediation background and insights into the process and implementation. The two other interviewees were selected as they are people managers and the researcher is hoping to gather information pertaining to how they manage conflict among employees. The participation of the individuals has been agreed in principle, via email and provided with a brief synopsis and background of the research.

What inclusion or exclusion criteria will be used?

To gauge in depth findings from a mediators perspective, the researcher has specified the criteria that the individual must be a qualified mediator in order to meet the aims and research questions and thus, speak expertly about their field. With regard to gathering information from a managerial perspective, those that were excluded were individual's that do not manage at least one employee.

How will participants be informed of the nature of the study and participation?

Participants will be provided with background information in advance of the interview taking place, this will also include an overview of the topic which will be discussed. Participants will also be asked to sign a consent form to the use of the information provided.

What procedures will be used to document the participants' consent to participate?

Hard copy consent forms will be required to be signed by all participants in advance of the interview taking place. These will be held on file by the researcher. Similarly, the interviewee will provide the participants with further information detailing the purpose, audio recording, the use of the information provided, details on storage and destruction, anonymity and other details pertaining to the use and participation in the study.

If vulnerable groups are participating, what special arrangements will be made to deal with issues of informed consent/assent?

NA

Please include copies of any information letters and consent forms with the application.

Part D: Confidentiality and Data Protection

Please indicate the form in which the data will be collected.

□ De-Identified

What arrangements are in place to ensure that the identity of participants is protected?

All participants will remain anonymous and only an audio recording will be used during the interview to assist thematic analysis and any points raised during the interview.

Please indicate any recording devices being used to collect data (e.g. audio/video).

The researcher will be using an audio recording device to record the interview.

Please describe the procedures for securing specific permission for the use of these recording devices in advance.

All participants will be provided with a consent form in advance of the interview taking place. This will detail the audio recording device being used and also what the information will be used for. Participants will be asked to sign and agree to these terms.

Please indicate the form in which the data will be stored.
□ De-Identified

Who will have responsibility for the data generated by the research?

The researcher will assume responsibility for the data collected and produced as result of the interviews.

Please describe the procedures of the storage and destruction of data.

The audio recordings of the interviews will be stored on the audio device for a period of one year, as a precautionary measure, should NCI ask to see these to

validate the study. After this time, the data contained on the audio device will be deleted and wiped clean.

Dissemination and Reporting

Please describe how the participants will be informed of dissemination and reporting (e.g. submission for examination, reporting, publications, presentations)?

Participants will be made aware of the purpose of obtaining the information and the uses with the information, this will include the submission for a Masters qualification and associated submissions to obtain this qualification. As the study will be carried out anonymously, there will be no confidential information collected or personally identifiable information used. This will be detailed in the consent form for all participants to sign. Extracts of the interview may be used to further support literature.

If any dissemination entails the use of audio, video and/or photographic records (including direct quotes), please describe how participants will be informed of this in advance.

The interviews will be recorded using an audio device to ensure no relevant observations or information is missed during data collection. The audio recording will be kept explicitly for the purpose it was obtained, i.e. obtaining Masters qualification in NCI and recordings will not be shared for any other reason. Direct quotes may be included to draw on findings as result of the interviews, to further underpin the literature in the area. The participants will be made aware of this through the use of a consent form, which each participant will have to complete and a copy will be held on file.

Part E: Signed Declaration

I confirm that I have read the NCI Ethical Guidelines for Research with Human Participants, and agree to abide by them in conducting this research. I also confirm that the information provided on this form is correct.

Signature of Applicant: Niamh Haskins

Date   29/01/2018

Signature of Supervisor (where appropriate)

_____

Date   _____

Appendix 3- Participant consent form

Participant Consent Form

To evaluate the role of mediation as a form of alternative dispute resolution in a Financial Services organisation in Dublin

Masters in Arts in Human Resource Management

National College of Ireland

- I, _____ (participant) agree to the below conditions associated with the research project.
- By signing this consent form, I agree to participate in this interview.
- The interview will be conducted anonymously and all personal details will remain confidential. This will be done using a profile, such as Interviewee 1, Manager.
- I understand that the information and opinions provided during this interview are solely for the purpose of the research and will remain confidential.
- I understand that the transcript of this interview will be held in accordance with the NCI retention policy and then will be destroyed.
- I agree to have this interview recorded by audio device.
- I understand that exerts and quotes from this interview may be used in the research project to support literature and findings through the study. This may be in the form of the dissertation paper and presentation.
- I agree and understand that the notes, audio recordings and transcripts of this interview will be retained by the researcher until completion of the research project and will then be destroyed.
- I understand that I do not have to answer any questions which make me feel uncomfortable and can terminate the interview at any time.
- I understand that I will be afforded the opportunity to retract any statements.

Signature of participant   Date

Appendix 4- Interview Questions

Introduction

Thank you for agreeing to participate in this interview. I am completing this as part of the Masters programme in Human Resource Management, in the National College of Ireland. This study will be focusing on the role of mediation in a financial services organisation. As previously mentioned this interview is completely anonymous and any information is confidential and collected specifically for the purpose of this study. I will be recording this interview on an audio device to transcribe later.

Through this study, I am hoping to gauge a detailed understanding of the role of mediation. Mediation is an informal method of alternative dispute resolution. As part of mediation, both participants must enter into this willingly and is facilitated by a neutral third party mediator. Mediation is a relatively new field and some aspects of this have not been fully explored. I am hoping that this research will help contribute to this field and evaluate mediation and its usage in organisations.

1. What is your role in the organisation?
2. How long have you worked here?
3. Are you currently or have you previously managed people?
4. Do you have any prior experience of conflict in this organisation?
5. What type of culture do you think this organisation has?
6. Do you think this type of culture has an impact on people's attitude towards conflict?
7. In your opinion, what do you think influences the type of conflict, which occurs?
8. With a mediation policy in place, are you aware of the key drivers behind the introduction of mediation in this organisation?
9. How long has the mediation policy been in place in this organisation?

10. What is the success rate of mediation in this organisation?

11. Is there a high uptake on mediation to resolve conflict?

12. How is the success of mediation measured?

13. What types of cases do you feel lend themselves best to this form of conflict resolution? (grievance, performance issues, bullying, harassment, other)

14. How does this process work in practice?

15. Have you ever had to manage staff who have been involved in conflict?

16. Are line managers involved in the process at any point?

17. Do you feel this is an area which would benefit from training for interested parties?

18. Does this organisation utilise internal and external mediators? Why/Why not.

19. At what point of conflict is mediation introduced?

20. When do you think is the most appropriate time to introduce mediation during conflict?

21. This concluded the interview. Is there anything else you would like to add?

Thank you for your time and participation in this study.

Probing questions:

Can you elaborate more on that point?

Why/ Why not?

Has this changed your perception?

Do you think this is something worth improving/ exploring?

Appendix 5 Interview Transcripts

Interview 1: Qualified and practising Mediator, also Line Manger (Male)

Prologue: Thank you for agreeing to participate in this interview. I am completing this as part of the Masters programme in Human Resource Management, in the National College of Ireland. This study will be focusing on the role of mediation in a financial services organisation. As previously mentioned this interview is completely anonymous and any information is confidential and collected specifically for the purpose of this study. I will be recording this interview on an audio device to transcribe later.

Through this study, I am hoping to gauge a detailed understanding of the role of mediation. Mediation is an informal method of alternative dispute resolution. As part of mediation, both participants must enter into this willingly and is facilitated by a neutral third party mediator. Mediation is a relatively new field and some aspects of this have not been explored fully. I am hoping that this research will help contribute to this field and evaluate mediation and its usage in organisations.

Interviewer: What is your role in the organisation?

Interviewee: In XXX at the moment, I work on the Learning and Development team, which is a small enough team as part of the wider HR division. Although I am not a full time mediator, I came to the business a year ago with that experience and that qualification already in hand. This meant that quite soon after going I was ready to be deployed to one situation to act as the mediator there. It is not an official role that I have and not something I have done very often here over the year because there hasn't been that much of a need but that is where I fit into the XXX, as part of the HR division.

Interviewer: Thank you. How long have you worked here?

Interviewee: One year and then I have worked in Learning & Development for nineteen years altogether so I would have worked in a small, specialised consultation organisation which delivered a lot of consultancy and investigation and mediation and conflict resolution services to mostly the public sector but really all sectors ultimately. The public sector was its primary source of customers and when I was exposed to this, I delivered a lot of training in the area of conflict management and became qualified in this area. Over the last seven or eight years, I have been involved in a couple of dozen mediations since then.

Interviewer: Do you currently manage people in your role?

Interviewee: Yes, I would have four direct reports into me at the moment.

Interviewer: Either in this role, or previously, have you been involved in conflict in the workplace (indirectly)?

Interviewee: Yes, there is a few examples where people that reported directly to me had issues with other people. I can think of an example where one of my direct reports had been mistreated by someone who got angry and treated her with disrespect and my direct report was shocked by this and didn't know how to handle this or what to do. This is one example where as a line manager I had to lean on my knowledge and skills and decide what is the best way to handle this and what is it and what isn't it. By this I mean was this just a once of sort of reaction from a colleague internally or was there more going on, a more sustained issue, could it have been bullying- what was my duty of care as a line manager. I took this very seriously in my role as a line manager. Luckily enough I sat in that room with the knowledge I have as a line manager and as a mediator and a HR professional. But I think if I didn't have that knowledge then that would have been an opportunity to do a very good job as a line manager or a very bad job and I would have been relying on my organisation to equip me with the knowledge of conflict. So I was lucky that I knew what to do but if I looked around at my other colleagues, that employee would have had a very different experience with a different line manager.

Interviewer: When you say that would have had a different experience, can you elaborate- do you mean as result of your background allowing you to handle the situation?

Interviewee: Yes, I was able to explore what was happening- what is bullying: well it's not bullying because it doesn't satisfy those requirements, is it harassment: yes/ no. In the end I was able to make sense of the policy around conflict to try handle informally and directly. I was very equipped to walk that employee through what are your options, what do you want to do, what do you want me to do and be of service and support to her. In the end, she was able to address it directly herself with very little involvement from me. As a line manager, I suppose that is just one example that comes to mind, rather than my official role as "the person who gets a tap on the shoulder about two people arguing/ fighting, et cetera and need mediation".

Interviewer: What type of culture do you think this organisation has?

Interviewee: I think the XXXX has a very compliant culture in terms of how it follows rules. I think it is very respectful and I think, I have only been here a year so my observations are based on a recent period of time and I think someone who was here longer might have something different to say, but I would say it is very respectful and if I hear someone had lost the cool with someone else or was disrespectful either intentionally or unintentionally I would be quite surprised. I don't think that is the norm or a regular occurrence around XXX. I think at an interpersonal and human level we are very respectful. At an organisational level and how it operates, it is very compliant. What I mean by that is that it seeks, with managers and staff, policies and rules and guidance and guidelines and parameters around what we should do and what we need to do. So that if there was some sort of conflict, I think our managers would do is look to the rulebook and say what am I supposed to do here and what do I have to do or not do, so culture-wise and around conflict specifically, I think there would be a willingness to a) rush into conflict an b) where is arises to approach it and handle it in a very thorough and compliant way. I think people here will take those things seriously.

Interviewer: Do you think this type of culture has an impact on people's attitude towards conflict? Do you think conflict is a policy driven element and not an ad-hoc solution?

Interviewee: Probably what helps is that we are public sector and that maybe the competition for promotion or resources aren't as hotly contested as they would be in private sector or other industries. What I mean by that is that people aren't pitted against one another, which can sometimes cause conflict to happen- people constantly trying to fight each other for promotion or to get the bonuses or the resources which are limited or "to get a better patch for my sales team". Those sorts of things outside the public sector can often add fuel to the fire of conflict, whereas we don't have a lot of those things. So that's probably one thing to say, ehm… we all take our role as managers and employees very seriously around "there is a right way to do things and if I don't know what that right way is, then I need to go and find out" and then take action. I would say it definitely impacts how we handle conflict, I would say managers can be good and bad. It's good to have that approach so managers don't rush in to handling it half-cocked, they go and arm themselves with the understanding. But it can be bad because it nudges things towards the formal route, which takes longer and sometimes conflict is better handled informally and sooner.

Interviewer: Would you be aware of the key drivers behind the introduction of mediation in this organisation?

Interviewee: In reading the policy that would give me some indication as to why it came in in XXXX and from informal discussion with other HR people here I would have a bit of a picture. In a general sense, in Ireland, in the public sector, why has mediation come about, I think it probably boils down to the one unifying problem that I have seen in every organisation that mediation comes up- it gets too serious and too formal too quickly... It is then very hard to unwind that so an individual manager, their reaction is often that when someone on their team tells them that something is going on, "OK get that in writing and put a complaint into HR and they will handle it from there". This then gets the ball rolling on something much more complicated and drawn out and serious than if they had the

skills to either you know…address the conflict or explore the conflict at an earlier stage or even to roll in a contact person or mediator at that earlier stage. I think this has probably been the driving force, to a) minimise the burden on the HR team and the XXX in being involved in investigations, which are costly and drawn out you know and involve another resource and b) to improve the experience of the people involved for the complainant or the respondent. I have always said actually no matter what the outcome in an investigation nobody is actually a winner at the end because it demands so much of everybody and doesn't actually address the conflict , it just says whether somebody did or didn't do something and sometimes that has its place ehm…but probably that would be the driver for us…for its own resource reasons and as an employer for a better experience for its employees.

Interviewer: What is the success rate of mediation here?

Interviewee: I suppose the nature of mediation is that it is very confidential and that it is done, I don't want to say on the QT because that makes it sound very cloak and dagger, but it's done very discretely and as it should be so actually I wouldn't even be aware of how often mediation is invoked, except very generally or informally. As I said, I conducted one mediation soon after I joined last year, I would chat to a HR colleague of mine who is also a mediator in the business and once in a while, if he had a very tricky thing going on or something exceptional that happened in a mediation situation, he might say to me, in a very general way and without disclosing any confidential information, might say to me "I've got a situation and this looks like a risk- what are your thoughts" or might say "I had one yesterday and it provided me with X learning and this is what I thought" in a very general sense. So… I wouldn't have my finger on the pulse of how regularly it's happening and that would be fairly normal I suppose. For the exposure that I do have, it is received very well by managers, certainly by the individuals involved. Almost in every single case of mediation I have been involved, the individuals are thankful and feel that it was the better option for them. I have never had someone go down a mediation route and then go formal afterwards so I suppose I can only infer or assume that my experience elsewhere would mirror the

experience here and that people would overwhelming say it is a positive way to overcome conflict.

Interviewer: In your personal opinion, what would you consider a successful mediation outcome to be or a measure of success?

Interviewee: I think the bare minimum is that neither party, or none, not always just one person versus one person having conflict, it could be several but I think my bare minimum measure of success is that no one person is worse off for having done it. Which doesn't sound like a very good measure or a high bar to get off but actually in a conflict situation, it is very very easy to inflame things and make it work so as a minimum I always work very hard to make sure no one is any worse off for taking this and everything beyond that is a success for me- are they more informed about their rights and responsibilities, are they equipped for a better understanding of what happened to them and how and why they reacted, and ehm.. the same for the other person involved, do they understand where the other person might have been coming from, are they more in control, do they feel more in control of what they can and can't do and what the options are that are available to them. I think that's a big part of conflict, people are fighting for control of things. That can just be control of their emotions or whether the other person knows how they feel or control of how the person needs to stop treating them in a certain way. Mediation helps put control onto both sides- the complainant and the respondent, it gives them control. Whereas going into something like an investigation actually removes all the control from them. It puts in the hand of the investigator, it's a lot around feelings you know… that if by the end they feel more informed, more empowered, more eh… I suppose less stressed, which is a big, big thing for people, feeling under less stress and anxiety by the end and inevitably the have been heard and have had a chance to speak their mind and had a respectable interaction and they have formed ideally, a plan for how things will be better. That is a tangible outcome but really, for me, the major success measures is around how do all the parties feel. Like I was saying there, do they feel more in control, more informed, more heard, do they feel

strong enough to move to the next stage, which is moving to the future, rather than being stuck on the past.

Interviewer: What types of cases do you feel lend themselves best to this form of conflict resolution? (grievance, performance issues, bullying, harassment, other)

Interviewee: I think I would adopt a very general simple definition to what conflict is and that would be that two or more people want different things and are emotionally invested in the thing that they want and so, that still applies to even if someone is mistreating me, or being aggressive and I don't want them to be like that. So what they want is control and for me I want them to act a certain way and not to do that. So that definition still kind of applies in that regard so if we take a very general, very simple definition like that mediation will help if every one of those instances so I should say, I am a workplace mediator and mediation exists outside of the realm of the workplace where it is family and martial mediation, things like that. Those things are very different and is mandated and people have to be part of it whereas I think in the workplace, it is voluntary and where people are disagreeing or facing that type of conflict I can think of almost no situation where mediation wouldn't make it better. Now, that said, I would usually have a fairly strong resistance to bringing mediation in where it is something that is veering towards very damaging or criminal behaviour, so for example, sexual harassment or physical violence or something like that. So with the odd exception, I think those things are better handled through the formal process, or actually, if it's really extreme, through you know the criminal system and calling the police. So you know….if in the course of a mediation or a manager requesting for me to mediate I was very worried about the seriousness of what transpired between the two people, I would raise strong concerns and say I don't think this is for mediation, I think this is far more serious and that if we entered a mediation and brokered an agreement between these two people, it wouldn't be a fair outcome in our duty of care to both sides, you get me… Now that said, I have mediated one example of sexual harassment and I would be reluctant to describe it as minor you know… but wasn't on the very extreme end and both parties felt strong enough that eh... and were very well informed and felt strongly themselves that it would

be sufficient for them to go through mediation and if they could get a positive outcome through mediation, that they were fine with that and my judgement then, having met both of them and really challenged eh… the strength of their conviction around that and said that in this instance I am confident that going into this will do not damage to the people involved and may actually help. Luckily enough it did turn into this but probably where I would draw the line would be more on the serious side or if there is a serious mismatch. For mediation to work, both parties or both sides have to be in a position where I can help them get some sort of balance of power around the table and if there is a huge mismatch in power or dominance then, well then mediation is more of an uphill struggle and you have to be very, very cautious as the mediator in that regard.

Interviewer: As a grade based organisation and varying levels of seniority across the organisation, do you think this can influence the way the mediation will go?

Interviewee: Great question, I think part of the art and science of being a mediator is making a human connection with both sides. It's to meet them both as human beings and strip everything else away and no matter how rich you are, or what job you have, or how senior you are in the organisation, you are human and facing a very human challenge by not getting on with another human. And you know, most people just want a stress free life and not facing a conflict situation and in nearly every mediation that I have had, that is the one thing both sides agree on. I say what is it that you want when this is all done. And they will say I just want to go back to normal, I just want no stress, do my work, be happy and go home and not think about this all day long. And so, I kind of find that when people hit a conflict, we are quite easily able to strip back the levels of seniority and sit around a table at a very human level. I also feel that my job as a mediator, I feel that if someone is throwing their weight around or stuck on this, that I have to be sometimes quite strong. That is why I say it is an art and a science and a structure and process and methodology but you have to be able to read the room, read the people, and be flexible and be constantly paying attention to the small signs of "is the person engaging in this properly, are they doing it with a good

spirit, are they open to the proper outcome" and on occasion, challenging them if you are concerned. I have had to do that too.

Interviewer: In practice, how do you think the mediation process works? There are a number of different approaches which can be adopted by mediators.

Interviewee: I suppose back to what I was saying a second ago, I would always go in with a broad structure in mind, which is "lets first of all understand things from both perspectives" a big, big part of why I've been able to help so many people with mediation is in the before. It's not all down to the mediation meeting itself. It's getting a good understanding of the parties, the pre-mediation, it's building trust and understanding what they want and how they view things, not necessarily getting a break-down of every single thing that happened- that's not what mediation is about, and setting expectations too of what's possible and what's not. I think that's one of the most important parts. For me, the mediation stands or falls on the pre-mediation and what happens in between the pre-mediation and walking in the door. That's how I am able to tee up their mind-set and get them ready for the mediation. I think once they're in it is the same broad structure each time- helping each side to understand the other side as best we can. I think there will be some mediators that are more passive in that. They will just ask questions which will… pull out from each side. I guess my particular style would be that I would often add on a layer of interpretation so that we are educating people. I wouldn't be afraid to say "This is not un-normal in conflict, I see this all the time". We regress and where we are usually in control and normal, in conflict we label people as things and that is all they see, does that make sense. So there is a to and fro of interpretation and teaching to help them understand what is happening. I don't think there is a label for that approach but what I'm saying is you can be more involved as a mediator, it's not as simple as asking the questions and leaving it in the hands of the two parties, which is the text-book description of "I'm just a facilitator". The best way I heard it described was ehm… somebody said that as a mediator you aren't impartial, like a referee, you are multi-partial- I am standing up for both sides, I want you both to get what you want and I will fight for that with you both. That is required I think. People are

not viewing things clearly either. Yes, there is a phase and spine that mediation goes through but there is also the in between of those milestones depending on what the people need and how they are.

Interviewer: Are line managers involved in the process at any point?

Interviewee: Yes, I think line managers have a key role. Not least because they are usually the first ones to say, "I think mediation might be needed over here" so to that end, organisations do a good job of informing managers on what mediation is or isn't and how to invoke it. Those organisations make very quick progress around mediation. When organisations don't do that, I find that line managers can actually make things more difficult. I think that is very, very important. Here, for example, we do have mediation embedded and have mediators available and have a policy, we are very clear on saying where there is conflict mediation may be presented as an option. I have worked in other organisations where they say clearly, mediation is our preferred approach and should be encouraged and explored before going into things formally. I don't think we go quite that far here yet or are that prescriptive here. But where the policy is laid down, it helps managers to know where they fit in. Managers won't then necessarily be brought into the room them because they are not one of the protagonists in the play, if you like, and I think there is a balance there too. Often the manager will want to give their take on things and kind of say "there is a bit of a story here you need to know" but actually I don't need to know it. Managers can often help or hinder in that regard, but with the process of making the mediation work, as long as the complainants and respondents are willing and equipped to be in that room then that's all. And then, after that, all the manager will hear then, as you know, is whether it was successful or not. If the parties then want them to know then and notify them of the agreement then the mediator will do that. I think the managers role is a) to catch the conflict at an earlier stage and then say "Do you think mediation might be of help" without needing to know all the ins and outs and raise awareness of this and b) to raise the issue with HR if the people want to go down the road of mediation. Or if the people aren't even able or in control of themselves enough, sometimes the manager will interact in that way. And then,

after the mediation, the manager is key. Where people have a shared line manager, or separate line managers, if they have needs for support, afterwards it is good for managers to be aware- "I have been through this thing, we are going to try some new behaviours, I need some support, it'll be tricky". So I think the manager needs to be able to help them into the process and help them out as they transition into the new way of working together. And at the very least, this would require being aware and keeping their eyes open.

Interviewer: Do you feel this is an area which would benefit from training for interested parties?

Interviewee: I think a good organisation is up-front and open about conflict, not pretending it doesn't exist or "Don't worry, HR will look after that". Managers are absolutely key in spotting conflict and hopefully handling it at a local level. I think if the XXX talks open and is up front, in the way that I think we are now, particularly around things like mental health and stress and mindfulness and mental and physical health, we are very good at talking about things like that. Another aspect of human behaviour is that we don't always get on with one another and so to talk about "sometimes these things happen, we have a mediation policy and this is how things fit in", so for us to talk about what is it, what it isn't, when it might be useful, the benefits for everyone involved and the more managers are equipped to eh… not enter into panic mode when someone is in conflict. Managers for me are the lynchpin in the middle that are our advertisers. At the front line, staff might not be ofay with all the policies but the managers should be. A really clued in, dedicated manager will spot conflict and know what to do. If we, the organisation have done our job well, straight away they will think of mediation, not necessarily to jump straight into the formal process or brush it under the carpet. It's a willingness to go into some process, but not a rush to go into the formal process either. They are the best managers, not necessarily that they need to be the mediator but I think I have also delivered mediation skills to managers and that's not for them to act as a mediator, but to provide a deep understanding of the power of mediation and that at a low level, early conflict, they can address these things which can be handled by the manager- that they

adopt a more facilitative approach to handle it, rather than formal- manager approach.

Interviewer: Are you aware if this organisation utilise both internal and external mediators? Why/Why not.

Interviewee: When I've been here I haven't heard of examples of external mediators being brought in. Partly I would imagine because the mediation need isn't huge- we aren't doing loads of mediations here thick and fast every week. So we are able to handle it with our internal resource. Where I've seen external mediators used is usually around the resource or the skill isn't at the right level inside the organisation or that the particular people involved are senior or that it might not be appropriate for someone like me to mediate someone on our Governing Council or something so sensitive. I think there are cases for involving internal and external mediators. I think a large enough organisation, like ourselves, with the resources that we have available, in terms of manpower and money, we should, in 80% of cases be able to address those needs ourselves, because again, like I say, unless it's very, very sensitive, and very senior, really we are just talking about humans. If the mediator is of good quality and well trained and experienced mediator, then I would say it is less important whether it is internal or external but there are definitely cases for external mediators when these may be appropriate. As to whether we have a formal process for bringing external mediators in, I don't think so.

Interviewer: When do you think is the most appropriate time to introduce mediation during conflict? Theory and practice offer differing opinions on this.

Interviewee: I think, well let's look at the scenarios. If mediation is brought in too-too early, then some of the natural stages that people would usually go through, which is to have conflict, reflect on it, sit on it, have it clear in their head, what they want, don't want, those things tend to be what people ruminate on a lot when they are in conflict. If you have conflict today with someone and we jump in with mediation tomorrow, some of what naturally tends to happen, I'm not saying to pause it for a week or two, but in my observation, if you have sat with that and

have discussed with your loved ones or parents or colleagues and said "I can't believe this happened" people will form a clearer picture on what has happened and crucially what they want and don't want. Ehm… so sometimes when they have sat with it for a time people are clearer on those things. So if we just sit and try mediate sometimes the emotions are very, very high and the clarity of thought around what you want or don't want out of this aren't as kind of…. Spelled out for people. What I would hope in a very ideal world if we had the perfect organisation would be everyone would understand conflict and be trained on it and we would talk about it and so, if something happens between me and you, we could understand it in a conceptual way and say "oh we're in conflict" and this is what happens when people are in conflict. We aren't viewing them as humans anymore, we are viewing them as wanting opposite to me. I think in an ideal organisation, we would get it and would potentially be able to engage with each other straight off and then our manager would also get it and be able to help and offer questions and encourage you know…certain informal actions. And then I think if it went to mediation the mediation would be brought at the right time…There is no perfect time for mediation. Reflecting on the mediations I've done and saying "Don't bring mediation in too soon" is not as black and white as that. It's not a timing thing, it's a readiness thing. What dictates when mediation should happen should be whether the person is ready to engage in mediation. We can inform them about what it is and explain it which will help them but in their mind they need to be ready. I have had pre-mediations with people who weren't ready and we have deferred it. Or I have said that mediation is not the solution because they are too entrenched and too stuck on a fixed outcome or… or… they're not going into it for the right reasons….being for them both to try and get what they want. They are stuck on only what they want. A readiness to be able to go in and have the dialogue and explore a new future reality – if you can tick that box, mediation will work. You will only know by having the pre-mediation so I think what we should do is rush to have an expert to sit down with the person (usually a contact person) and then a mediator, but doesn't need to go from contact person to pre-mediation to mediation, there are off ramps for each of those events. It's the state of readiness of both parties, rather than time pass, some

people will be ready the next day, some people need a little more time to explore and understand their thoughts.

Interviewer: This concludes the interview. Is there anything else you would like to add?

Interviewee: The only other tuppence worth I would throw in would be an interesting point would be that mediation often lives with HR but it is a very, very different approach than HR is used to. If it is an investigation, a HR professional they are required to act in a very strict, by the book, step one, step two, boxed off approach. They have to be very detached and professional and objective- that is good HR practice and that is the standard we hold ourselves to. In a mediation, it is very different and so, often I have seen in organisations that struggled to identify who should be the mediator that they train or that they equip. Because HR people aren't always the best ones. Sometimes with mediation, I think you have to sail quite close to the wind and eh…. By sometimes being more directive, than you would never be in an investigation- you are asking the questions and making sure you get the proper answer and move on. Whereas in mediation, you have to hit pause and step outside and say "I don't think you're helping yourself", which you would never, ever do in an investigation. So my only other point, whenever I get into a chat with other mediation professionals is that it's sort of a practice very aligned with HR but very separate to other HR practices. It's definitely a very valuable and specialised tool which should be in the toolkit.

Interviewer: Finally, as an emerging field, where do you think mediation will develop? Do you think it will become regulated or structured?

Interviewee: I know in the civil service, mediation isn't laid down in law, there is a circular or a directive around mediation so that is as far as it has gotten. I don't think it should move to law or force people into mediation but what probably should be made stronger is a requirement for organisations to do everything they can to embed mediation as a practice and an offering. And I would use the word offering because it is of benefit to staff and to make sure if it in policies and discuss as a preferred approach to conflict management, a requirement to equip

and train all involved, managers, HR professionals and general staff. These are probably outlined as good practice, but more of a take it or leave it. So if there was anything to be strengthened, I think it would be in the expectations and not forcing it down one road or another. The practice has evolved and gotten to a very strong place- we have the Mediators Institute of Ireland and a number of very strong practitioners in Ireland and they are quite coordinated and consulted with and can lobby the government and the way they go. I think we're in a good place but the requirement to mediate and the understanding of mediation- these are the two areas which will deliver most benefit.

Interviewer: Thank you for your time and participation in this study.

END

Interview 2: Experienced HR Professional and Line Manager (Female)

Prologue: Thank you for agreeing to participate in this interview. I am completing this as part of the Masters programme in Human Resource Management, in the National College of Ireland. This study will be focusing on the role of mediation in a financial services organisation. As previously mentioned this interview is completely anonymous and any information is confidential and collected specifically for the purpose of this study. I will be recording this interview on an audio device to transcribe later.

Through this study, I am hoping to gauge a detailed understanding of the role of mediation. Mediation is an informal method of alternative dispute resolution. As part of mediation, both participants must enter into this willingly and is facilitated by a neutral third party mediator. Mediation is a relatively new field and some aspects of this have not been explored fully. I am hoping that this research will help contribute to this field and evaluate mediation and its usage in organisations.

Interviewer: What is your role in the organisation?

Interviewee: I am the manager of the Onboarding team, so I have four people and two interns who report directly to me, that's in the HR function. Where I've worked for the last twelve and a half years.

Interviewer: I understand that you currently manage people so would you have any experience of managing people and dealing with conflict directly or indirectly?

Interviewee: I guess I'm fortunate enough at the moment that ehm…in the last year or so there hasn't been any issues in conflict but I definitely have encountered on two occasions, one formal one where a formal complaint was raised and then one more informally where there was conflict on the team. So do you want me to give you some…?

Interviewer: Did the people on the team turn to you in the first instance or how was the conflict managed from your perspective?

Interviewee: So yeah, I guess the more informal one is easier to talk about where there was a new member who had started on the team, maybe within six or seven months, where instantly ehm… it was obvious to me that there was conflict then and other people on the team, they didn't settle well into the team, they had different ideas about how things should be done than people that were there originally and maybe the people were there originally had been in the roles for a long time so weren't receptive to someone new starting anyway so there was friction nearly from day one, which escalating into me being approached by the other two team members to say they didn't want to work with the person going forward.

Interviewer: How did you manage and handle the situation?

Interviewee: When I was approached initially by the other two members, I listened to the issues they had, let them talk and they were frustrated at the situation, let them get their point across, ehm… and then I approached the other person. I didn't tell them that the other team members had spoken to me about them. I approached them as part of the probation process and you know, brought it up myself that it was apparent there was friction on the team and that they weren't settling in well. I then got their version of the story, which both sides were similar but both parties were coming from different places…they both had relevant points and issues to be raised and I think that was the main thing- they weren't considering the others opinion. That was the other thing, the new person who was starting was keen to make their make their mark, they had recently left a role where they had been long-term so they were determined to have a successful start in the organisation, which to them seemed to be to challenge the way things were done constantly and challenging the other team members but when it boils down to it that was the reason for doing it- to make a mark or make their presence felt. Whereas the other two members had been there for a while, they didn't appreciate somebody new coming in and challenging everything they did and also the situation where the person who came in took a role that the person that was there

already had applied for so that wasn't, obviously going to have friction from the outset. When I spoke to both individually and went back to them and said I had spoken with the opposite, I said "Is it worth maybe giving them a bit of time and being more accepting of the others behaviour". I had hoped to see changes in behaviour going forward and nobody was keen to go down an official grievance or disciplinary route at that point or raise a formal grievance about that person so they agreed, you know, to give it another chance and see how things went going forward from there on, which actually worked. One of the parties who raised the issue then subsequently moved onto another role within a few weeks, so I don't know, maybe their issues because they were unsuccessful in the role, maybe it would have been resolved with that person and once I spoke to both parties, got both sides, I could see where they were coming from and I was able to chat to the other one's perspective. They were more comfortable and willing to give the relationship another try.

Interviewer: Interesting. Do you feel that they went to you as their line manager in the first instance or as a HR professional who might know how to handle such a situation?

Interviewee: I would say it was a bit of both. I would think that in this organisation people do have a tendency to go to their line manager in the first instance so obviously because I work in HR, there is a bit of both there but I would imagine that if there was a similar scenario in another area in the organisation that the staff member's would go to their line manager first and then if the line manager wasn't comfortable with handling the situation or want some advice, they might consult HR. I think in the first instance their line manager has the better relationship and should kind of have identified that there was issues before nearly the person needed to raise them.

Interviewer: Do you think that line managers here would be equipped to deal with a scenario like that?

Interviewee: I think it depends, I think it can vary from area to area, some areas within the organisation, the line managers are very competent in managing people

and what that involves but I think there are other areas, maybe where people are more ehm…where the roles are more technical and the people management side of it is not at the forefront of their mind when they are doing their role as a line manager. They are a line manager from a work perspective and their function, rather than actually managing their people, so I think certainly across this organisation, it is a very mixed bag and people are, I suppose, being made more aware of they have shortcomings in those areas. There are good training offerings and courses that people can complete to reinforce that, you know, that's part of their role if they are people managers.

Interviewer: What type of culture do you think this organisation has?

Interviewer: Do you think we have an open culture where people can air grievances or if they have issues, or have a "me against them" mentality?

Interviewee: I think that's an interesting question actually and I would have researched a bit about this for my own Diploma that I completed last year. I think that the organisation, because there are so many different areas and so many different functions, I don't think it is easy to pinpoint a particular culture because it varies from place to place. Like I mentioned with the line managers- I think in some areas ehm… in some pockets there is a very open culture where there is very good two way communication between the managers and employees, I think that people would have no issues if there was a grievance or anything like that addressing it. Whereas I think that in other areas, it is definitely a lot more closed in than that. I don't know if it is relevant for your study but I suppose even looking at the likes of our operational facility in XXX, there is definitely a different culture there, it is more technical, it is heavily unionised, you know people are a lot more suspicious of what is done, whereas I think a lot of areas here in the organisation, people are very open to new ideas, any new policies or new initiatives that HR or whoever bring out, they can see the good in them. Whereas you need to have that open culture for them to be a success. Whereas in other areas they can be treated a lot more cynically and people aren't as open to them.

Interviewer: Do you think this type of culture has an impact on people's attitude towards conflict?

Interviewee: Yes definitely. I think one of the worst things with conflict is if it goes on for a prolonged period of time. You know, people, it can build up inside them and it can lead to the having frustrations in terms of their work, even coming in to work. I mean if you have a breakdown of relationship between two people and it's a source of conflict and is ongoing, I think that is hugely detrimental to the work environment and it creates a bad atmosphere, which can impact people who might not even be involved in the conflict. Certainly, from the example I spoke about earlier, that would be the case, where rather than just being a couple of people, the whole team nearly are pulled into it and it can have a detrimental impact on the environment and is definitely something that needs to be nipped in the bud or dealt with as early as possible, if that is possible.

Interviewer: In your opinion, what do you think influences the type of conflict which occurs?

Interviewee: I think it can be anything, I think and again, something I would have covered in my Diploma myself, I think that the main source of conflict at work is something that can negatively impact the behaviour towards someone else or any sort of perceived unfairness. So if there are people in similar roles where it's apparent that you know, one is a lot more productive than the other, everything else can be the same, but if that's the one thing that's different, that's going to be something that will heavily impact on someone. I think that's a big thing there. For example, we are now of an occasion where you have a team of five people where four are in everyday from 9-5 and someone else is in from 10-4, getting paid the same, that's the kind of thing that has a big impact on people sitting there trying to get their work done- if they perceive that there is a level of unfairness across the team. But other than that, you know, everyone's tolerance level is different. I think that something that could be a big issue or grievance for one person might not bother someone else at all, so I think as a line manager you have to be open towards that. You might have quite a flexible and laid-back style or manner but if that's in complete conflict with someone on your team, then

obviously you'll have issues there. I think it's important as a line manager / team manager, that you are aware of the people who report to you and what their preference is- how like to be, not be spoken to, but what way is appropriate, not to change yourself but tailor your interactions as much as possible. Definitely a good awareness of people and difference is a key awareness to have.

Interviewer: With a mediation policy in place, are you aware of the key drivers behind the introduction of mediation in this organisation?

Interviewee: I think if both parties are agreeable to it, it is a good first port of call if there are differences or a situation that arises. I think that in some organisations, and maybe here in the past, there is a tendency to go straight down the formal route and procedure. Things can wind up in the Labour Court…and I think that sometimes if there is a break-down or communication and obviously not something hugely serious, mediation is definitely a good first instance- give both parties an opportunity to tell their story and feel that they are listened too and reach a compromise. The introduction of someone neutral is also key to the situation to come in. I would be very surprised if there were a lot of people who weren't open to trying mediation in a first instance, rather than a more formalised route.

Interviewer: How long has the mediation policy been in place in this organisation?

Interviewee: I think five or six years…I wouldn't be 100% certain though, maybe even longer.

Interviewer: How successful do you feel it has been since its implementation?

Interviewee: I know from hearing feedback informally and formally in HR, that there have been a number of high profile cases which have been resolved through it but I don't think, I don't know if there is enough awareness for managers that it is there as a port of call. I think it could probably, not be publicised but an awareness or as part of the HR Business Partner's daily role, to make the business aware of this as an option, line managers more aware of this option. But there

have been a number of tricky instances where it has been used and worked quite well. I do think that for very serious issues or where somebody is personally feeling very, very aggrieved that the mediation process is not appropriate. Just because they might feel the situation warrants further escalation and they aren't willing to mediate but definitely for communication breakdown, team conflict, it is definitely a very useful tool to have.

Interviewer: Is there a high uptake on mediation to resolve conflict?

Interviewee: Not that I am aware of. Again, I don't think there is enough awareness of it and I think it could be promoted more. I know that our Advisory team, who manage the process, would strongly recommend it to someone who comes with an issue that is suitable and appropriate for mediation. Outside of the organisation, it is used in a lot of other situations, marriage breakdowns, and would be used as a first port of call there as well. So I think as the years go on, we will see a higher uptake in it. I think people are more reluctant to go down a formal process when mediation is an easier way to resolve whatever problems they may have.

Interviewer: How does this process work in practice? Even in your own instance that you spoke about earlier managing conflict.

Interviewee: I think you can probably, on daily basis, use mediation without even realising you do. There is probably two versions of mediation, the formalised one, I know there is a policy and process around it…the steps involved, the process, the meetings, but I definitely think people probably use it. In my scenario earlier, I was probably the mediator in the conflict but at the same time, I didn't say to someone "I'm going to use the mediation process". For any conflict resolution, mediation is a very useful tool to have. The main criteria and issue is that both parties need to be bought in, there is no point if one party has absolutely no interest in it so that's why I don't think it is suitable for all areas but if parties are open to it then they are hopeful of finding a resolution, which is a positive indicator from the outset.

Interviewer: Are line managers involved in the process at any point?

Interviewee: Ehm…

Interviewer: To elaborate, you mentioned that people here would often go to their line managers in the first instance; do you think this is because they are just there or for a resolution?

Interviewee: I think it depends on the relationship they have with their line manager. I think possibly in a lot of instances, maybe someone goes to a line manager but when they aren't able to resolve it, perhaps because they might feel that the line manager has a preference for one than the other, they might not be perceived as neutral by purely being the line manager and involved. I think if it's something that the line manager can't address, then mediation is very good- the use of an impartial person coming in, with both parties having their say. The only comment I would make around that would be that our mediator currently sits within HR and a lot of people would perceive this as maybe a doubt on the neutrality of the mediator and whose interests are they representing- HR and the organisation or the individuals. Whereas if it was someone completely external they might be more trusting with regard to bias in the organisation.

Interviewer: This point actually address the next area I was hoping to discuss- the suitability of internal and external mediators? And whether both are in use in the organisation.

Interviewee: To my knowledge, we don't use external mediators and yes, well again I think it depends on the situation and the people involved. I could definitely imagine an individual might not be too happy that the mediator is within HR. I know that mediators go through an accreditation process and you are governed by the MII and criteria but at the same time, I think people might doubt and question "oh they're in HR and representing the organisation….is that their focus rather than the outcome". For example, if there was conflict in HR, in our division, would those two people be happy if the mediator was from the same division…I don't think so and I think there would be a lot to be said for someone completely anonymous coming in and no bias or involvement and hear both sides. For the majority of people, I think bias can be difficult, whether it is perceived bias that

the mediator might have or whether they themselves might hold a bias….I'm not sure, it might not be perceived as "a fresh sheet" which is important. I do think there would be more buy-in for the process if it was managed by an external third party.

Interviewer: At what point of conflict is mediation introduced? And when do you think would be most suitable?

Interviewee: I think if most parties are agreeable to it; it should be one of the early avenues that should be explored. If two people have a problem and consulted their line manager and they still aren't happy with it, then I think mediation should be the next suggestion, rather than letting the conflict go on. I also think line managers themselves should probably be a little bit more pro-active with this and suggesting this…I think it should be very early invention tried. Even when people are separating or access to children, mediation is one of the first avenues to be explored, rather than taking a legal route. In an organisation, that's probably how it should work in practice. It would also save us a lot of money in legal fees!

Interviewer: Do you feel this is an area, which would benefit from training for interested parties?

Interviewee: Yes definitely. As mentioned, there are some very good line managers who are very pro-active and clued in but I would be confident that there are line managers working here that have no idea what the process involves, how successful it can be, or that it is a tool available to them. Obviously if they contact HR with an issue, it would be suggested but again, I do think this can be seen as HR solving the problem, rather than it being mediation as the resolution and a neutral third party. I do think that this is an important area and there is a piece around line manager responsibility too. There could also be more awareness. Even from a HR perspective, we had an internal presentation delivered on mediation and there was information contained there that even I had no awareness of so it would be very beneficial.

Interviewer: This concludes the interview. Is there anything else you would like to add or anything other insights you would like add?

Interviewee: No, I feel that adequately addressed most areas.

Thank you for your time and participation in this study.

END

Interview 3: Qualified Mediator and Line Manager (Male)

Prologue: Thank you for agreeing to participate in this interview. I am completing this as part of the Masters programme in Human Resource Management, in the National College of Ireland. This study will be focusing on the role of mediation in a financial services organisation. As previously mentioned this interview is completely anonymous and any information is confidential and collected specifically for the purpose of this study. I will be recording this interview on an audio device to transcribe later.

Through this study, I am hoping to gauge a detailed understanding of the role of mediation. Mediation is an informal method of alternative dispute resolution. As part of mediation, both participants must enter into this willingly and is facilitated by a neutral third party mediator. Mediation is a relatively new field and some aspects of this have not been explored fully. I am hoping that this research will help contribute to this field and evaluate mediation and its usage in organisations.

Interviewer: What is your role in the organisation?

Interviewee: My role is I am manager of HR Advisory. It's a support service for line managers to help with their people issues, in respect of underperformance, absentee management, probationer not coming through and indeed to provide help and support where mediation is being offered under a piece of conflict management.

Interviewer: How long have you worked here?

Interviewee: I have worked in this organisation for seven years but I have worked in HR for the guts of thirty years. I previously worked in another organisation for twenty-three years, where I introduced the mediation process and trained to be a mediator.

Interviewer: Are you currently or have you previously managed people?

Interviewee: Yes, I currently manage two people here. In XXX to date, I have managed six people and in a previous organisation, I would have managed five people remotely.

Interviewer: Have you ever had to manage staff who have been involved in conflict?

Interviewee: Ehm… I have been able to manage people's expectations in so far as I have had to have a difficult conversation particularly at end year review or PMDP time where we have had to work through specific issues in relation to work but none such that it was insurmountable or escalated out of control. Generally, we were able to come to an agreement and be future focused on what needed to be done.

Interviewer: Do you feel you were well equipped to deal with this? Do you feel this was this as result of your background in mediation and HR or as a line manager?

Interviewee: I think my experience having worked in HR a long time and having dealt with people**,** I tend to break it down into bit-size chunks to know what the issue is. You know, "am I looking at a grievance, is it an absenteeism problem, or is it underperformance problem". I like to see the trees from the wood, I like to be prepared when I go into these meetings. I like to have my examples, I like to be positive and constructive and future focused in relation to that.

Interviewer: What type of culture do you think this organisation has?

Interviewee: The culture of XXX is certainly evolving. It has evolved significantly in the last seven years, where it would have been a very public service type culture, it would have been, ehm… the numbers have certainly grown in excess of 50%, a lot of people have come from industry so it is a much more broader culture, it is much more…open culture, it has a lot of diversity in its culture here. In a HR context, we have a new operating model, which has been here for a number of years now, which is the Ulrich model- the business partner model, supported by various specialised services, of which I am one. So when I

joined XXXX, seven years ago, I came in as a business partner, I was very familiar with the model, I had also run a HR Advisory team for the island of Ireland and had been used to dealing with conflict and supporting line managers in having the difficult conversation with staff in a broad number of areas, that I have outlined. So, I was bringing this unique skill set into the organisation, in that I was used to dealing with people issues, particularly the conflict side, that included disciplinary hearings, performance improvement plans and having those meetings and getting outputs…at those meetings as well.

Interviewer: Do you think this type of culture has an impact on people's attitude towards conflict?

Interviewee: I think it can….some people are prepared not to do something, they just let it fester or hope it will go away and I will give the analogy of "Don't poke the bear in case it wakens up". I'm afraid I like to poke the bear because we need to have something happen. We need to know where this is going to have it resolved, we need it to bubble up and to get a resolution, against having something fester. Certainly with the introduction of our mediation policy, we have an openness to resolving issues under the policy and I know we will mention soon, introduced in 2012/ 2013, so it is going back five/ six years at this stage. So yes, the XXX culture is that it has a process to endeavour to facilitate and resolve issues of conflict with staff. The XXX has come a long way and its culture is certainly evolving, particularly as its numbers grow. It is expected that as a large organisation, that we have good processes in place to be able to resolve issues.

Interviewer: In your opinion, what do you think influences the type of conflict which occurs?

Interviewee: What influences…a style of management, we are a learning based organisation so people are very smart, very knowledgeable, eh… their people skills and managing staff may not be as strong as their knowledge-based skills so they have to learn how to manage people in difficult circumstances. Now, you'll find that nine times out of ten, circumstances are good but it's being able to manage staff when circumstances are not good. We've got to look at that in the

context of the introduction of PMDP back in 2012 so we now have year-end reviews, we rate our staff on their performance and if there are successive years of under-performance, we have to, well line managers have to manage that. So we may put staff on performance improvement plans so we need management and managers to be able to have those good conversations with staff, that are future focused, that they are able to coach staff, and I will coach the line manager on how to have those conversations. So as we have grown and brought in PMDP, absentee management, the fact that we have grown so significantly in size means that people don't all come through the probation process so manager equally have to have a conversation to bring that person up to the required standard but equally, the bank has an appetite to help managers work with staff who are not coming through the process and have to terminate, or if the staff member decides that this isn't right for them and they need to tender their resignation.

Interviewer: Following on from what you mentioned earlier, there are supports available for line managers throughout these processes?

Interviewee: Yes there is support for both line mangers and staff. I am a line manager support, as is my team, we advise line managers on the processes and how to have the conversations and what type of words to use. Equally then, we have EAP- employee assistance services for both line managers and staff that is an external counselling based service and we also have occupational health providers, if we need to refer staff to see if there are underlying issues that we need to be aware of and what reasonable accommodations, if any, do we need to make for staff to help them in how they are processed.

Interviewer: What were the key drivers behind the introduction of the mediation policy?

Interviewee: I suppose the key driver there was to have a process in place, within our dignity in work policy. We talk about an informal approach so mediation policy has put a formality on that informal approach. As mentioned previously, where I worked before I went and trained as a mediator to understand what was the framework for this informal approach, so that when I did meet with managers

or sit down with staff, that I knew what the framework was. We put the policy in place so that staff knew where they could go, how they could go about engaging a mediation process and once accepted, I then had a process to follow to help facilitate a successful outcome that was future focused.

Interviewer: How long has mediation been in place here?

Interviewee: The policy was brought in by Employee Relations back in 2012/ 2014 ehm…. At that time mediation was getting a lot of publicity as an informal way to resolving issues, for example, when you go down an investigatory route, it can have a life of its own, you have a claimant and a respondent, you may have corroborating witnesses, or not. Witnesses see things very differently depending on what side they are representing and equally, investigations can be very, very expensive in comparison to mediation.

Interviewer: Is there a high uptake on mediation to resolve conflict?

Interviewee: I can speak for myself personally here. I have done approx... seven mediations in the XX since I've been here… maybe I've done a bit more but I can't remember. All but one has been brought to a successful conclusion. I mean a successful conclusion that is up to and concluding a written agreement with touch points that is future focused.

Interviewer: With the increased focus on metrics and data, is mediation something that would fit into that?

Interviewee: Yes…it is below the radar; it is very difficult to climbing a mountain and waving a flag and saying "wow look what I've done". I tend to keep my statistics, I am very conscious of the confidentiality, of where the mediation has taken place. Mediations to date for me, have been in a particular area of the XXX, which I won't name but yes I keep my metrics and keep the numbers and it's important to know that we can do it and successfully and we get successful outcomes.

Interviewer: What types of cases do you feel lend themselves best to this form of conflict resolution? (grievance, performance issues, bullying, harassment, other)

Interviewee: From my experience, it has been under the dignity at work or bullying and harassment**,** where somebody feels that they are allegedly being bullied and if we can get to it early enough its bringing the parties together to work through what the issues are, it can be to do with disagreements with staff members and a line manager, it can be something quite straight forward but has a capacity to grow legs and arms and can escalate quite quickly. So yes, generally as I say, it has been dignity at work, eh… workplace grievances are the two areas I have been involved in.

Interviewer: Do you think there are scenarios that don't lend themselves to mediation?

Interviewee: It's a good question….Sometimes, when the parties are brought together, I will always try to see if we can resolve this informally but sometimes we just can't and it has to go down the investigatory route and then we will get a black and white answer- "you did it or you didn't do it" and do we have corroborating witnesses. So sometimes, it may have to go down that particular route to get an end result acceptable to both parties.

Interviewer: Whilst you mentioned here there is the formal process and policy around mediation, how do you feel this works in practice?

Interviewee: I think it works very well. For me, I have my own process and I trained under Jeffrey Corry in UCD and I had a five stage process where I outline the ground rules and expectations, both parties to respect one another, and give equal time to listening and hearing one another. Then we have the story telling or I call it the uninterrupted storytelling, we look at what the options are and capture these on the flip-chart and look at what the solutions are and solutionising from their point of view and how do we prevent this happening into the future. And finally, then come to the written agreement, with touch point to review into the future and I also make an effort that if we do reach a successful agreement, that there is a congratulatory piece at the end to recognise what has been achieved through the mediation. I take the opportunity to meet with both parties beforehand and meet both separately and I have a "SING" template to look at the story,

impact, needs and goals. What does the person hope to get out of the process and then I go through my framework in respect of that and it works very well. For me, I have the story, I see what the needs of the individual and what they hope to achieve through mediation. And then, during the mediation process, I bring both parties together and work off "INCA" and look at impact, needs, consequences and anything else that needs addressing. So that works quite well for me and capture my notes in respect of that. If the mediation is brought to a satisfactory conclusion, I will get rid of my notes and… keep the agreement confidential and send parties a copy to be signed and write to the line manager and head of employee relations to confirm that the mediation matter has been satisfactorily resolved ad both parties have asked for the matter to be kept confidential.

Interviewer: Have you had to manage staff involved in conflict?

Interviewee: Ehm… not directly, maybe year end reviews and that type of thing. So, I tend to try to be a good manager in respect of that but I have been in some very tricky and difficult mediation scenarios, where there has been a lot of venting, a lot of upset, tears and sometimes that can be quite difficult.

Interviewer: I know you had mentioned working with line managers and supporting them, would they typically be involved in the mediation process at any point?

Interviewee: It's good for line managers to know there is a process and a policy, it's good that they can pick up the phone and talk to me because I can talk about mediation and what it looks like and what I would work at, that it's futuristically focused. Eh… line managers are happy that I am facilitating it provided both parties are happy with me being involved. I would not normally have the line manager in the mediation, just the parties involved. I did do it once where I had a line manager in the process to see what was happening but was with agreement from the parties and that's the only time I would directly involve them.

Interviewer: Do you feel them having an awareness of mediation and having it as an offering would be suitable?

Interviewee: I think if managers understand the framework and concept of meditation, there is no reason why a strong or good line manager can't bring the parties together and work off, you know, "Guys tell me your story, what are the issues, how do we need to resolve this". It's having that construct of what it would look like and working towards it. But you do need a strong manager to be able to do that and some managers have the capacity and capability to do that but other mangers can find it difficult in conflict situations and would be concerned about what they can or can't say in the circumstances. To be brutally honest, sometimes you might feel like bringing two parties together and clashing their heads together and saying "Guys you know, let's get on with it", but unfortunately life is not like that and you have to go through and listen to both sides and the impact that conflict may be having on either parties.

Interviewer: Do you feel this is an area which would benefit from training for interested parties?

Interviewee: Yes, I do think that if a company's budget can rise to it, then there is some basic training on the mediation process and we do have the mediation legislation now in place. It certainly has its place now in law, albeit with maybe a legal influence there and there's some work the MII looks at in respect of that. But in coming back to your question, I do think that yes, I think basic training for line managers is always welcome. And certainly for me, having trained as a mediator, you can apply the skill set to other types of circumstances you know…listening is an incredible part of mediation, listening to the parties tell their story. And even in day to day conversations with staff, it's important that managers listen because there is such a propensity to jump in but it's important to give someone that uninterrupted time to tell their story, whether it's to do with performance, or grievance or an issue they are having at work. So yes, managers to be self-aware following training on how to have difficult conversations so that skill can be levied across many different types of scenario and meetings is very important.

Interviewer: Does this organisation utilise internal and external mediators? Why/Why not.

Interviewee: In the organisation here, we have internal mediators. It is not as if we have mediations every second day of the week. I previously worked in an organisation where we had a panel of mediators- male and female-, which was relevant, both eminently qualified and depending on the scenario, I would have brought them in, so if we have male and female, we would use female or if we had two males, we would use another male. So I tended to know the strengths of my panel and match that to the situation accordingly. Here currently, we don't have an external panel but that's not to say that that couldn't change into the future.

Interviewer: At what point of conflict is mediation introduced?

Interviewee: Sometimes it can be too late, generally it has escalated or the particular issue and working relationship maybe has become intolerable so I think we need to be sometimes quicker in identifying conflict and how do we bring about a resolution. That comes back to a previous point, it depends how strong the line manager is at recognising there is a situation and having the confidence to approach it informally because they are best placed. Unless the conflict is with the line managers themselves, then they must exercise some caution and may then call on your mediator to try and resolve it. I suppose the... the thing is recognise that it is bubbling and festering that letting it become toxic.

Interviewer: This concluded the interview. Is there anything else you would like to add?

Interviewee: ….I think people need to recognise that it takes time….uninterrupted time to prepare and be involved in a mediation, particularly when the flow is good and there is good synergy…We need to be sure that if line managers are going to take it to a certain point, are they going to be able to conclude it and if not, knowing that we have someone in place who can bring it to the next stage and give it the time it needs and work towards concluding it. From my experience, and I have been doing this a long time, it is a great skill set and great if an organisation has someone who is confident enough, and equally trusted and respected by the business community to work through mediations because it

is a great way to resolve workplace conflict. It tends/ is future focused and if you can bring the parties together and create an environment that is conducive and have the skills to do that its really good. If you don't have someone internally, an external panel is good. It's important to know who the panel is and that they are available, obviously there is a cost associated with that but overall, it's better than the cost of an investigatory route, which really you have no control over- it can go either way. Whereas facilitating a mediation allows control over the mediation. Now it's not that you should solution-ise the situation, but you are giving them the ownership to be future focused and how they will resolve their issues. It is amazing when it works well, the feeling when something has reached agreement.

I think for anyone who is interested in mediation and looking to become qualified, I would strongly suggest becoming part of a sharing and learning group. There are a number around Dublin and can be sourced through the MII. I chair a sharing and learning group who meet every six weeks and share with a bunch of mediators who share difficulties, experiences and provide phenomenal learning for anyone embarking on mediation as an ancillary skill.

Interviewer: I would imagine that it is quite daunting, as you don't know what you are walking into or what will happen.

Interviewee: Interviewer: Do you feel this is an area which would benefit from training for interested parties?

Interviewee: Yes, that's a fair and important point.

Thank you for your time and participation in this study.

END

Interview 4: HR Consultant, previous HR Business Partner- experience in field of conflict (Female)

Prologue: Thank you for agreeing to participate in this interview. I am completing this as part of the Masters programme in Human Resource Management, in the National College of Ireland. This study will be focusing on the role of mediation in a financial services organisation. As previously mentioned this interview is completely anonymous and any information is confidential and collected specifically for the purpose of this study. I will be recording this interview on an audio device to transcribe later.

Through this study, I am hoping to gauge a detailed understanding of the role of mediation. Mediation is an informal method of alternative dispute resolution. As part of mediation, both participants must enter into this willingly and is facilitated by a neutral third party mediator. Mediation is a relatively new field and some aspects of this have not been explored fully. I am hoping that this research will help contribute to this field and evaluate mediation and its usage in organisations.

Interviewer: What is your role in the organisation?

Interviewee: My role here is as HR Consultant…however, this is only recent and up until about two months ago, I would have been HR Business Partner for about half of the organisation. My current role is a little bit more focused on HR internally and how we provide service out to the business. My last role was working in-between and working with the business a lot more and dealing with any issues that they have, so most of my experience here is in that.

Interviewer: How long have you worked here?

Interviewee: I'm here two and a half years (January 2016).

Interviewer: Are you currently or have you previously managed people?

Interviewee: Yes, so in my role here I haven't had any line reports…in my last role I would have managed a team of four, for about two and a half years and prior to that, I managed one to two direct reports over a period of four years, so on and off but not in my current role.

Interviewer: Do you have any prior experience of conflict in this organisation or managing conflict?

Interviewee: Yes, so within my current role (HR Business Partner) there would be times where I would have been the first point of contact for a line manager when conflict was occurring on their team. A lot of the time conflict with them or within their teams was to do with performance management and the conflict that can arise when you are trying to manage underperformance. But then, there have been other occasions within the team when there has been some conflict and I was advising. In my role prior to joining this organisation, I would have dealt with quite a bit of conflict. It was a smaller organisation, smaller team, younger profile where they were socialising and working together lot- lines often got blurred and there was a lot of conflict where people had disagreements outside of the workplace and they were taking them in and out of the workplace so there was a lot more conflict there than I would have experienced here.

Interviewer: So your role managing conflict here was as a Business Partner for line managers- do you feel that line managers went to you as the HR contact person or because "that's your role"?

Interviewee: I think they came because probably there was a trust piece. I think line managers often feel they are meant to know what to do when conflict arises on the team and they find it very difficult to know how to manage conflict when…I suppose they aren't sure what side to take and they don't know how to not take any side. So I think they would have gone to me because they understand there is trust there that they could explain "I don't know what to do with this" and they hoped that I would have the tools to support them in doing that. I suppose where I think the managers were struggling was the conflict that was happening…generally one person was feeling more aggrieved and was feeling

more of a victim that a perpetrator in the conflict and they might come for support. So it would be a really difficult conversation for the manager to have to balance the empathy with the "I'm not taking sides" approach and I think that's why they came to me. I think technically speaking, in the model that we have here, they probably should have been going to HR Advisory a little bit more and HR Advisory would be well equipped to support them but from a HR Business Partner perspective there is a lot more interaction so the relationship is stronger so when they are worried about something , I think they tend to come to the Business Partner, unless they have a relationship with someone else in HR Advisory, which they might not if they haven't had problems before.

Interviewer: From your experience of dealing with line managers, do you feel they would be equipped to handle scenarios like this?

Interviewee: I think that…No. I don't think so. Some would but I think that's an innate ability that the person themselves might have and I think overall, they are not very well equipped to deal with conflict. I don't put that down completely to this organisation because I see it equally in people who have worked in other industries, elsewhere in the financial services industry and here for ten year, they don't have the tools at hand. They aren't confident to use them. And they often think that either…they seem to want the best outcome but they don't know what that is and some try to placate the whole issue and do it that way, while others think it's OK to talk to the other person and be the "go between". As you know yourself, from a mediation perspective, it might not be ideal depending on the people involved and who they trust and don't trust. Then some people think "we need to formalise this so that it's really clear what everyone is saying" and they inadvertently escalate it to the formal process without ever needing to and I don't think, overall, unless they've been through it before, they don't really know what to do. The ones that have been through it before- it will depend on their experiences. Some of them have not gone through mediation, they will have gone through a formal process and they will go to that straight away. So in summary, I think their intention is always positive but I don't think they're very well

equipped. I would see that in a range of managers, in terms of experience and background across the board, they're not very well equipped.

Interviewer: What type of culture do you think this organisation has?

Interviewee: I think broadly speaking, I think this organisation has a very respectful culture. I've worked in a lot of different industries and I have never worked in an organisation that has been as respectful as here. By that I mean, people don't raise their voices, conflict is often…well the impact it has on conflict is that it sometimes bubbles under the surface here. You don't see people banging doors, or shouting at each other. No one uses bad language at each other and that's all good but then sometimes conflict then simmers for a little bit longer than it needs to and there's a lot more of a "people talking behind closed doors" or you know… a "look" rather than shouting. So when you think of culture, that's the kind of culture I think, but it is very respectful overall. Overall, people are very keen to learn and really respect knowledge- whether you have it or you are in pursuit of it, it is really respected. But on the flipside, a percentage of our population are in a different location and the culture there is very different. Their conflict is overt and there is shouting, when conflict emerges there it is very obvious and I would say it feels very different there than it does here. Overall as an organisation though very respectful and collegiate. And there is a big piece around working for the greater good- there is a real sense of trying to "do the right thing" and I suppose, what I've noticed before, although not very financial services oriented, but in another organisation, I've seen conflict or people trying to "get the upper hand" on each other is because they are pursuing different goals and what I find really interesting here is that (I don't mean interpersonal, I mean conflict about a point), when conflict happens here, it's actually two people trying to achieve the greater good. To work in the interest of the public but both with different views on how to get there. If we were in a company that was for profit, I think you would have a lot more…conflict. It's a little different here in that sense. People aren't trying to make money ten different ways, ultimately we want what's best for the consumer, best for the public. So maybe it's why conflict doesn't

happen as much, is the ultimate goal a little more aligned than it would be in a commercial organisation.

Interviewer: Do you think having a grade based organisation and salary scales contribute to this?

Interviewee: I don't think having salary scales cause conflict.

Interviewer: Why do you think that is? Are things are more transparent?

Interviewee: Yes, exactly and there is more of an acceptance, however, I have gotten feedback….we have people reporting into others on the same grade, which happens in the real world too- two people on the same salary scale but the person who is the manager is on a lower point on the salary scale, so they are being paid less than the person reporting into them. I have heard that this can cause conflict. So there is conflict possibly around the rules of salary scales…so you can't move someone no matter how well someone performs, you can't move them up the salary scale and you can't move them onto a new salary scale without an interview process. I know this is designed to be fair and transparent but it doesn't feel fair to people. I don't think it causes conflict between people but I think it causes frustration for managers and for good employees, employees who are outperforming. They can't get extra reward, even though they are well performing above their grade, they can't get a tap on the shoulder that you would get in any other organisation that you prove your worth, you can't get that here. So it doesn't cause conflict between individuals but frustrations. It doesn't make it less though, I think conflict that salary scales prevent, they create it in other ways. They cause frustration, people not feeling rewarded for the work they do, they create people looking at a competition and thinking "that's designed for somebody already", so it certainly doesn't improve the "feel good factor for people".

Interviewer: In your opinion, what do you think influences the type of conflict which occurs?

Interviewee: So, where I see conflict…I've seen overt conflict has been interpersonal things that have happened. Sometimes it personal, its personality

clashes. Where it can also sometimes arise is a result of…there are plenty of people here with long service and the organisation has changed a lot over the last number of years and especially since the crises and where you have people who have joined since the crisis and have certain ideas and certain ways of driving the business, you might also have people who were here before the crisis and they think "no ,this is the way we've always done it". So there is sometimes a tension between the old and the new schools of thought and that can create conflict. Competitions often do create conflict, where like that, someone is believed to be the preferred candidate and then they get the job and then someone else loses out. Those who lose out can sometimes feel aggrieved. At a senior level, where you have conflict, but not the type that mediation will solve, in my opinion, there is often conflict over resources. So not fights, but individuals saying "I want an XXX in my area, my area is like XXX and they have other resources". It doesn't cause conflict necessarily between the two individuals but creates tension and something that people fight for. Because we have pay grades here, it means that the managers don't have pay budgets, they have X number of pay grades and X number of employees to hire. The power for resources is out of your hands so that's where people fight for and get frustrations.

Interviewer: That's an interesting insight…We might move towards a discussion and focus on mediation now. So with a mediation policy in place, are you aware of the key drivers behind the introduction of mediation in this organisation?

Interviewee: No, I'm not aware. I'm not aware of why but…I would see it as a very valuable aspect to the process. I think our HR Directorate would seek to always look at what is the recommended best practice in an area and then work back from that. There are some things in best practice that we can't do but I think we strive for best practice. My sense and my understanding of mediation is that strong hybrid of informal and formal. It brings the independence and it allows the people involved to retain control of the process, but creates a bit of structure around it too so that it's not a "tit for tat" fight. So I think to be honest, I don't know the specific drivers for here but I would think that any good process around grievances or dignity at work should involve mediation.

Interviewer: From your experiences here, would you be aware if there is a high uptake on mediation to resolve conflict?

Interviewee: I would say, again I'm not aware of the uptake, our HR Advisory would because it is managed directly by them. But as a HR Business Partner, I know with our Advisory team, we would always flag this as an option to line managers when conflict arises. Broadly speaking, managers have not necessarily been aware or considered it as an option. It's a really powerful thing to give someone to go back. So often times what a line manager will say is "there is conflict on my team…it has come to my attention… or has come to my door…and I don't know how best to advise the individual". I suppose naturally everyone thinks there is formal and informal and that's it. Mediation is a really great alternative option and one I think is really powerful to sell. So in my previous experience dealing with mediation and conflict, what I would always say is, and when an individual comes to me is when you are in conflict, "if you can fix it and are empowered enough to be involved in the solution, you are much more likely to succeed and you will feel better about the whole situation in the end. You can be proud you sorted it and it is in your control". I suppose when conflict becomes formal, it becomes much less about a solution and reaching a way of working, and more about whirring blame and "who is at fault, did that allegation happen, who is guilty and who is innocent". It's very divisive and even though the formal process ends with an outcome and recommendations, it doesn't serve very well to create an ongoing and positive relationship, whereas mediation does- well it has the potential to if the lines of communication are open. I've seen it work so well where people can't see "the wood from the trees" anymore and it creates a safe space for them both to feel heard and listen to one another. Because it has an air of formality about it, people feel a little bit more willing to commit to what they say as result of mediation. Managers aren't fully aware, but when mentioned as an option they do seem to have an awareness of it but aren't entirely sure of what it entails. I have to say, there are certain things when someone has experience of something they have their own opinion but when someone doesn't have much experience and don't have an opinion, it is easier to sell it to them as an option. It

is a great tool for them to go back to the individual with and they don't just have two options- that's the best of both worlds.

Interviewer: What types of cases do you feel lend themselves best to this form of conflict resolution (or don't)?

Interviewee: I guess, I have been part of mediation as an individual myself if you wanted to hear about that?

Interviewer: Yes, absolutely. If you were willing to share some insights?

Interviewee: So I wasn't the mediator, I was the person who was in the conflict so mediation wouldn't have worked here. So the important thing for mediation is that its voluntary for both parties and for me, in that situation the trust had completely broken down and from my perspective, a lot of unfounded allegations were made against me so I didn't feel that it would…I wasn't at a stage where I wanted a good working relationship with that person in the future. It had really broken down and I think you need to have both parties wanting to work together in the future. This individual had gone, they had kind of handed in their notice and we wouldn't be working together in the future anymore. They had made a lot of untrue claims so what I would say is where mediation has gone too far and either one person feels completely…a victim. Where someone feels that they are being bullied or that there is no power in their corner, it can be very hard for them to feel that it is a safe space to enter into from a mediation perspective. Or if trust is completely broken down and both parties just can't even be in the same room together- then no. I think where it works very well is where both parties are aware of the conflict. Where one of them has tried to "have a word" informally about it in some shape or form but hasn't been resolved. And where the reality is it is not going away so the alternative is to make a complaint about one another or go down the mediation route. Mediation is excellent when you are at that stage and "something's gottta give" and we don't want to make complaints. It's a really good, safe space, when don't with the right people. When the right mediator is picked, when both parties are sincerely on for it and when both parties have enough trust to listen to each other- you need those things for it to be a success.

Interviewer: Moving on, literature would often suggest early intervention would be most successful. In your experience, when do you think is the most appropriate time to introduce mediation in reality?

Interviewee: 100%. I think the earlier the better but I would always encourage that informal "in the first instance", some attempt by one or other of the parties to say "look, we have a problem here". I think the earlier the better. If trust breaks down, communication breaks down and then when communication breaks down, people tell themselves their own story and go further down the path away from reconciliation so the earlier the better. I have seen it work where the two individuals were really not at the trust stage but both knew they had to work together and knew that they needed to be able to work together for their whole team to work. Both were very committed to their role so they did give it a go and I suppose in the short-term it worked, but in the long-term it didn't. It helped them both reach a conclusion. If they had have gotten it earlier they may well have built the bridges they needed to build to make it last in the long term. It worked, but only in the short-term.

Interviewer: Are you aware of why the mediation didn't work long-term?

Interviewee: So I think it didn't work because the reality was they didn't get a full agreement at the end of it. There were a few points that they disagreed on and because they disagreed for so long and because they were so fundamentally opposed, they didn't agree to disagree but I feel one of them felt they should agree to the matter to get the process closed. I was an independent observer in this and we sourced an external mediator so my role was to provide the individual with a brief and be the go-between, to help them to prepare their sides of the story in advance. Across the process, I was to keep in touch with both sides to ensure it was progressing. So what I could see was one of the individuals had made an awful lot of assumptions about the second one and that first individual kind of was seeking to apportion blame, whereas the second person just wanted for them to get on and was willing to take some of the blame to do it, even though they didn't think it was right. I suppose, really, what happened was the second person, the one willing to make concessions, did make those concessions but thinking well now

we're going to be able to get on and work together. Whereas, what happened was the first person held onto those concessions and thought "I'm right, you're wrong" and took no accountability for their own role in it. The conflict re-emerged and the person who didn't take accountability also had some performance issues so the conflict bubbled up again because…even though both parties said "I agree on these points" the second person did it just to make peace and the first person was doing it because they got enough of what they wanted to make themselves think they were right about everything. So…I'm not articulating this clearly…but I think they needed a little bit of a stronger agreement and loop back afterwards. A few months later, the mediator should check-in and I think that check-in needed to call out some of the behaviours that were cropping up again. But I think there were a couple of factors- the person who made loads of concessions in the first place probably didn't shout loudly enough when things went wrong again and I think the individual who had performance issues that weren't being addressed- which is outside of mediation but there were other mitigating factors for why things weren't going well for them. So, over time, the cracks and frustrations appeared again and the first individual made a decision to move on from the business themselves, so it did get resolved but you would have liked to see them say goodbye to each other on good terms and they didn't in the end.

Interviewer: What was your relationship with the parties involved in the mediation?

Interviewee: I could have done the mediation but I was too involved. We were part of the management team in the organisation so I would have been more senior than them but worked alongside quite a bit. So you know yourself, when you are in HR, you are providing a service out to the business so they were managers in the business, in one team, but I would say because the first person was an under performer and was a challenging person, I certainly had a view on right or wrong, so there was no way I could facilitate that in an unbiased way and I don't believe that he would have trusted, and he would have been right, that I would have been impartial, so my role instead was to source an independent mediator and be that "go –between". To provide an understanding, the expectation

and that the mediator understood the background and what was going on related to the environment and context, where this was right or not…when one said one thing and someone said something else, the mediator would say "they are talking about X, what is X, what does that mean in the organisation". I did some informal check-ins with them and agreed that three months after, the mediator would check-in but I committed to check-in after one and two months. Both parties knew I was aware of the detail so there was no issue with confidentiality so it also meant that when it came to the third month, I could say "I'm not getting a sense this is working".

Interviewer: Do you think they went to you as a Senior colleague they could talk to or as a HR professional who would have the expertise?

Interviewee: They absolutely went to me because I was HR. Prior to, this won't apply to financial services, but prior to me being joining the organisation, they didn't have a HR function so they were part of a parent company and drew on them when needed. But this meant that mad behaviours had come in, like mad behaviours. And how they dealt with performance, anything to do with employment legislation was mad, so there was lots there. So as result of me coming in and growing a team meant that lots of things changed and there was an understanding of "HR is here to help with anything to do with human beings" basically! So they came with anything to do with performance, conflict, any issues involving a person, they came with so that's why they came to me. And the relationship wasn't super with the first individual but he still came to me because that was it. They had tried to go to their line manager but the line manager didn't deal well with conflict, and wouldn't deal with conflict actually. He would have empathised with both and sympathised with both- which is the end, was very disruptive. Both parties thought that they line manager was taking their side, but he wasn't actually taking any action, all he was doing was agreeing with what they were saying and letting each individual think they were right and the other was wrong. So in the end, that probably contributed to the relationship breaking down and then realised "we need to talk to HR because HR will know how to fix this" is what they thought.

Interviewer: You mentioned that you sourced an external mediator. Was there internal mediators in the organisation?

Interviewee: …. No, there weren't. I would have done one previously, I have done one or two and I have done one in that organisation so I could have done it but based on my ability to not remain partial it wouldn't have been fair. I offered it to them as an option but said, and I think that's a good idea, offer internal and external if you can, because I was able to say, "you can avail of this but you have an external option if for any reason you feel that you won't get that impartiality".

Interviewer: For us in this organisation, I am aware that we only have internal mediators. .What are your thoughts or opinions on this?

Interviewee: My opinion would be that if someone knowing the organisation and culture here, and as an individual in conflict said "I am not happy" and with the mediator panel here being small, I believe that they would, having asked the organisation for an external, I think they would do it, even though we don't have that service. I think if it was possible at all, it would be done. I'm nearly positive it has been done on request. So we don't have a panel, but as an organisation, and thinking about the culture here, it is to be fulfilling place for our people, so where something isn't in policy or available, if it's asked for, I think, bar any legal agreement or union agreement in place, they would sort it. I would be concerned that an internal mediator would be deemed not to be…impartial. I suppose, for both people, HR does provide services to the organisation. If anyone goes through any performance management issue, our Advisory team would be aware on some level so it's unlikely they could be completely impartial if the individual was related or was involved in that. Similarly, the other mediator would provide services and it is possible they would have an opinion on an individual. I think it is a risk and I would really think there would be value in having a source of external mediation, if its required. Maybe not to promote it, but if someone had requested or made aware of it as an option. We are growing as an organisation but as the industry is small, the field is small, Ireland is small and people talk and know each other. I do think though that there is a lot of trust in HR overall, in terms of what we say and keep secret but when people are at a point where they

are considering mediation, it is a fairly vulnerable place so they don't want to take any risks so may prefers someone external.

Interviewer: I guess moving towards the role of line managers in the organisation, do you think there is a piece around line managers involvement or awareness in the process at any point?

Interviewee: Definitely. We have just launched a "Manager Essentials" programme. You may not be aware of it but it's worth looking at. It discusses not mediation, but dealing with challenging behaviour, dealing with conflict a small bit…it's about when someone comes with a problem, here is how best to handle it and support them and be a manager. Our L&D team might be able to discuss this more… It is a broad management overview and discusses things for managers to be aware of at a high level, some of the policies, how to motivate, etc. Aim is for this to be part of their probation plan. I think we need to do more. I noticed it more on an unrelated topic. We have just re-launched a module on maternity leave and giving managers the tools to manage maternity leave. I was part of the focus groups for the research and of the key pieces of feedback we noticed was the initial reaction is what sets the tone. So if someone tells their manager they're pregnant and the manager hugs and kisses, generally across the focus group, all responses were then positive. When the manager goes "OMG who's going to deliver XXXX" every other response was pretty negative. So the problem is, you can have all the good policies in place, but when a person comes to a line manager and says "I'm fighting with Mary and I don't know what to do", if the manager isn't equipped at that point, it doesn't set the tone for the rest of the relationship through the conflict. So when someone talks to their manager about the conflict, there are in a vulnerable place and they need to have someone. How the manager reacts will dictate how the conflict goes. So if the manager reacts by appearing not to know what to do next, they can lose some of the confidence in them. Sometimes they can compensate the other way and what that can do is create a monster on one side and the individual thinks "Yeah, I'm right, I'm going to fight back" which can exacerbate it or they really aren't sure what to do, when I've seen quite recently, two Senior people, had a conflict and one was very upset and

spoke to her head of division and they said "I want you to prepare a formal email outlining the issue". Immediately, it all became formal then the alleged perpetrator wanted to see copies of everything, they wanted representation at all meetings- it all escalated because that initial manager didn't know how best to deal with it- by not escalating and not belittling the person either. The whole point is we do need to do more and be focused on the initial conversation and what your role is as a manager, to ensure confidence and know the policy and to be able to empathise and not sympathise. To be understanding but not to get in the hole with them, be on their side- remind them that there are two sides and we want to ensure everyone is treated with dignity and respect. Everyone has the right to be happy in work- I will support you and this colleague to reach an outcome. But don't disagree or take sides. If we can help the manager be "A OK" with the first conversation, then I think that would really help confidence and then…maybe over time…could give them mediation skills, not make them mediators, but the skills. But we definitely need to equip them better to handle conflict when it comes knocking on their door and how best to manage.

Interviewer: This concluded the interview. Is there anything else you would like to add?

Interviewee: No, I think it's brilliant and I think there is value in it if all the components work. If the mediator is properly qualified and impartial, if both parties actually want to be there and believe that in some way there will be a resolution. I think it won't work where people are un-qualified or "paying lip-service" to the process. Or thinking, "lets just do this and then I'll make a formal complaint". There has to be positive intentions from everyone and then there can be really powerful. I would love to see more of it here.

Thank you for your time and participation in this study.

END

Interview 5: HR Advisory Consultant (Female)

Prologue: Thank you for agreeing to participate in this interview. I am completing this as part of the Masters programme in Human Resource Management, in the National College of Ireland. This study will be focusing on the role of mediation in a financial services organisation. As previously mentioned this interview is completely anonymous and any information is confidential and collected specifically for the purpose of this study. I will be recording this interview on an audio device to transcribe later.

Through this study, I am hoping to gauge a detailed understanding of the role of mediation. Mediation is an informal method of alternative dispute resolution. As part of mediation, both participants must enter into this willingly and is facilitated by a neutral third party mediator. Mediation is a relatively new field and some aspects of this have not been explored fully. I am hoping that this research will help contribute to this field and evaluate mediation and its usage in organisations.

Interviewer: What is your role in the organisation?

Interviewee: I work in the HR Advisory team, so we deal a lot with case management of discipline, grievance, probation, performance issues. So, we would support managers and do a lot of coaching for managers with language and how to approach difficult issues they are having with staff and come up with plans and support them through the processes we manage.

Interviewer: How long have you worked here?

Interviewee: I am in the XXX eight years.

Interviewer: Are you currently or have you previously managed people?

Interviewee: Yes, once before but not in my current role.

Interviewer: Do you have any prior experience of conflict in this organisation?

Interviewee: No, unfortunately not directly. Or fortunately! But certainly in supporting managers with issues yes, I have a lot of experience with that.

Interviewer: Great, we might move on explore the culture within the organisation. What type of culture do you think this organisation has?

Interviewee: I think the XXX is a very intellectual organisation. There is a lot of good works that happens here and I think there is a bit of a concern in some pockets of the organisation around manager capability and to have these difficult conversations and support appropriately. So obviously line management is often part of peoples roles but I think sometimes when people are very busy with work, they kind of see it as an add on and they do struggle with trying to navigate through some of the processes and policies. They would rely on HR Advisory a lot for support, in terms of that. I think we're doing an awful lot in terms of its agenda, it's very advanced in certain areas but in others, it can be quite archaic in terms of the way we approach certain things. It's a very mixed culture I think.

Interviewer: Do you think this mixed culture has an impact on people's attitude towards conflict or the way in which it occurs?

Interviewee: Yes, I do. I think where staff, particularly where staff are being managed, there is now more of a focus on staff underperforming and we've had, in previous years, more of a drive, where the organisation has changed, there is less capacity to carry underperformance and hide it under the carpet. I think everybody is trying to do more with less resources so when you have a performance issue on your team, this has a big impact on the team and the line manager, in terms of the carrying piece. I think that is difficult and I think managers are trying to bring people through this process…What was the focus again?

Interviewer: Around culture impacting the type of conflict which arises?

Interviewee: Yes, I think therefore, when managing performance, you start to not micromanage, but when you put a light on someone and their issues, that is very uncomfortable for them and their line manager. I think where people have been

able to get away with working under the radar a bit and then you shine this light, it becomes very uncomfortable. They kind of perceive it as "I'm being picked on, my manager is bullying me" and you get those kind of words being used. It is difficult then for a manager to manage that because there is a lot of resistance, once you start managing performance, you get a lot of kick- back, fighting and resisting the support. Actually, for example, a PIP process is meant to be a very positive process an framework and I think people see it as a "stick to beat people with it" but it is, in a lot of cases, people come through it- they have the intervention for three months and then come through the process. There is no further action then taken but it's when people try and resist it and don't work with the manager, that their feedback isn't heard, then they will go down formal processes.

Interviewer: Do you feel, from your experience of engaging and assisting line managers, that they are well equipped to deal with these kind of issues?

Interviewee: I think some are. Some that have had experiences before are, or in previous roles are. There is a lot of capacity but I think there are a lot of new managers, a lot of inexperienced managers who don't know how to deal with these issues. It's all very well when everything is hunky dory, but when you do have an issue on your team, whether its performance or absence, or whatever you are trying to manage, once you go through those processes and understanding what you can and can't say can be difficult for managers to navigate. That's why Advisory is so key in giving them that detailed support so we would spend a lot of time going out and having meetings with managers and would be away from the desk, maybe positioning meetings or language, talking them through the plan.

Interviewer: Do you think line managers would have a key role in identifying conflict or the first point of contact for staff?

Interviewee: I think it depends on the relationship staff have with managers. If staff have conflict, sometimes they would approach their manager and we do have a lot of managers coming to talk about "this is the issue, what do I do" and actually, it is a particular skill set to identify that there is an issue between two

people and to try navigate through the issues. If you have someone come in and do a dump on you, as a manager, "this is happening", knowing how to approach this and what solutions are available and can be tricky. Often managers will listen but will not get a plan in place or progressing things. If you're just listening to them offload all the time, without putting it back on them and saying "these are the options, you need to tell me what outcome you want to achieve". With conflict, if your staff are saying things about each other and decide to raise a grievance, it won't necessarily result in either party being moved from their roles so that is not a solution. You need to try identify the underlying issue between them and try build a relationship, than removing either one. That would be the same too for peers working together or an issue with a staff member and line manager, depending on what the issue is. It might be as a result of difficult management style, performance management, conflict with work styles. I have a particular example at the moment where the manager is very black and white and focused on visuals, where as the staff member is more relaxed, which is a cause for conflict, between you have two different styles trying to work together.

Interviewer: So your role would be as a support function for line managers…do line managers go to for advice and support or do they turn to you to solve a problem?

Interviewee: Both, so it could be anything. That's the great thing, you never know what's going to land on your desk….you need to react to issues and be flexible. So a lot of people know Advisory and anyone that has worked with Advisory have been positive and complimentary. There are managers who don't know about it and that is exists so it's very under the radar and is very confidential work. So even with performance issues, some of the other line managers wouldn't be aware of what's happening because it's a confidential process. It's only when someone else has an issue, they might be advised "Oh I dealt with Advisory on this and were very helpful".   We get a lot of people who have passed on our details but a lot is word of mouth. We are trying to do a bit of promotion too, whether through Plaza, a forum, we've done presentations on our supports and what we do. So we do try and get it out there and is a very valuable resource.

There is a lot of issues and we are very busy. We hope to do some line manager workshops with people to bring some cases to life, look at examples and also give managers tools- we've seen a massive increase in terms of mental health, stress and anxiety so it's about how to manage and navigate through that. Sometimes staff want things to remain confidential and don't want their line managers knowing, which is very difficult to manage when you don't have an open relationship with the staff member. Then it's about managing the expectations of the team too, having to pick up work, it can be very difficult not to disclose why someone is out, etc. Having the skills to manage this is hard. The same with an under performance case, or when probation isn't going well, staff wouldn't be aware of the issues, all they see is someone not pulling their weight or doing X, Y, Z and having to pick up the slack.

Interviewer: We might shift the focus a little bit towards mediation now. With a mediation policy in place, are you aware of the key drivers behind the introduction of mediation in this organisation?

Interviewee: Not so much, it was before I joined Advisory so I think it was implemented around 2012 and I suppose, it's a very positive tool. We've had about six or seven cases since then. So I suppose, while a small number at this stage, the thing is that it requires both parties to buy into this and to be willing to address issues. This can be difficult when one party blames one another for issues. It's hard for people to enter into because the issues are being noted but then it's a very forward thinking and focused process. I'm not aware of the conversations that took place before its implementation but certainly, it's a very valuable tool we have in terms of positioning supports we can give with conflict and to staff. It's one option available. And like I said, if you're talking to a staff member about a possible grievance, it's really "what do you want to achieve through this?". I've had people come to me about a grievance but it's about what are your drivers behind this- going through this process, when it's an interpersonal relationship/ issue- it's very hard for a third party panel to assess who's right and who's wrong there are conversations happening that you don't know about…What you're trying to do as a line manager is bring people together and to acknowledge the

issues and move forward- trying to understand triggers and the style that you both have.

Interviewer: Do you think mediation is perceived well across the organisation?

Interviewee: I think the mediations we've done have resulted in positive outcomes most of the time. There are none that I'm aware, have broken down and have come back into our remit so going through the process is very effective and positive. There is only one I am aware of that didn't conclude and one of the parties said he didn't want to continue so it was paused. Other than that, they have reached agreement and drawn up and document an agreement so that's the end and then move forward. So I think they're well received when they work well. And all the ones we have done have concluded, bar one.

Interviewer: And you mentioned one didn't work well…why was this? Did they not want to go down the mediation route?

Interviewee: No, so with the mediation process, the mediator would meet with both parties independently to discuss the issues and what they want to achieve, then come together, so I think it was through the joint session that it…not broke-down…but paused. And I think the staff member just didn't want to continue, there was underlying issues there and it wasn't working.

Interviewer: What is your opinion on internal and external mediators? Do we use both?

Interviewee: Well we currently have two trained mediators, which are both based in HR. There is a capacity to use an external party and say…if there was an issue and they weren't comfortable with either, I mean they are in HR and for some people can be an issue, they don't want to enter our remit, that's fair enough. So absolutely, if there was an objection that, we could look into an external provider. I think we have done that before, I'm not aware of how many times though. I would certainly have used an external mediator in my previous role which was very successful. Sometimes having an impartial party can be good.

Interviewer: And you using an external mediator- was this a choice or was there an internal mediator available?

Interviewee: No, there wasn't an internal mediator available. Luckily here, we have two trained mediators and it isn't something we do all the time. Over the last six years, there has been maybe one or two per year so it isn't too onerous, but if it did increase, we might need to look at training someone else or having somebody external.

Interviewer: What types of cases do you feel lend themselves best to this form of conflict resolution? (grievance, performance issues, bullying, harassment, other)

Interviewee: Eh…well interpersonal relationships really is the key thing. Sometimes this is a result of performance issues, which is very difficult but we are very clear in our dignity at work policy that managing staff and feedback can't be construed as bullying, in the normal course of managing people. People take issue having spotlight on them which can cause difficulty. I've seen relationships break-down between staff member and line manager when there is an issue here. It might be through the line manager speaking to them, or trying to support them in understanding what the issues are and try support them better. It can be as result of trying to understand and manage issues…Staff are very protective with regards to their right to privacy and there have been cases where staff have questioned whether managers can ask what's wrong with a person. While yes, they can ask, it's up to them to disclose what is wrong. This can help address the issue and be open and honest about anything else. So for instance, so say it's a depression issue- they have an underlying condition which is medicated and they have peaks and troughs but if they don't disclose this to their manger and you're in and out all the team, this can be difficult to manage for all. There is sometimes a reluctance to have these conversations though. But if you are trying to manage a difficult case like that it can cause conflict. I have seen before where a manager is trying to support them but instead has escalated into a big issue. So we would have gone down the mediation route with them but this one was paused actually.

Interviewer: As a grade based organisation, do you feel this impacts on people's attitude or perception to conflict?

Interviewee: Yeah, so I've seen a bit of an increase in issues around same level reporting- that can be very difficult, when you are reporting into someone at the same level as you because of the matrix of the division, it can be very difficult. I think when, particularly when the manager is trying to manage an issue it is hard. I've seen a few of those cases coming up. Even having those difficult conversations can be difficult too. I don't think grade necessarily is though, at the end of the day, you have line manager. It's about how you have those conversations and understanding the different styles is key.

Interviewer: When do you think is the most appropriate time to introduce mediation during conflict? Do you think this is the case in practice?

Interviewee: The advisory team, primarily are a line manager support function but we would also have staff coming to us for advice on issues and they might look at going into a more formal process with X, Y, Z. It's again, talking about the issues and understanding their ideal outcome. "What do you want to achieve and how do we get there", these are the options we would explore with them. When people speak to HR, it's probably already at crisis point or at a position where they have tried to deal with it locally so that's when it would come to us. I think when you talk to people about the issue and they think that when they speak to us, we'll just go off and do an investigation into that manager or person, and it's not. I'm very clear when I meet somebody, "what do you want me to do", just talking isn't going to result in anything happening. People don't always understand that, and particularly when I was supporting XXX, I saw that. People would come in and rant and think there was an investigation going to happen as result, which isn't the case but we will try get a solution.

Interviewer: Do you feel when people look to a formal resolution, is that because the formal method is what they are aware of or what they want or is it they just want something?

Interviewee: Yes, I think people think, "I just want to raise a grievance", so our role would be about talking to them about what that would involve and also, identifying some of the informal approaches we have. You know, with conflict, you could have a manager that sits down with two staff members in conflict and facilitates a discussion together, to try and air stuff and try deal with it locally, you could try and deal with it like that. You could perhaps have a facilitated discussion where HR are there, but not a formal meeting, but it can be difficult to bring HR into those meetings because if HR are there supporting a manager, you have to give them a chance to have some support there and then it turns into a formal thing. Whilst we want to support that, you do need to be careful. It's about identifying what the approaches might be and what they look like, rather than going into a formal remit, particularly when it's an interpersonal difficulty. It' very tough to go into that remit, but absolutely there are times when it quite rightly should go into a grievance type approach but there are a lot of informal ways to consider as well, mediation is one of those and is great we have and in-house to deal with it quite quickly.

Interviewer: This concluded the interview. Is there anything else you would like to add?

Interviewee: I think it's a really good tool, it gives people air-time and time to air the issues and draw a line in the sand and move on. It's very forward looking, which is great, to recognise "yes there have been issues but let's acknowledge and park them" and not to go through all of that again….One issue of conflict and styles that we have at the moment are two staff members working on a team and one works over and above the expected level, would contact people outside of the office and at weekends about work and then there's the other person on the team who has been here a long-term, operates at a perfectly acceptable level but is just not that high-level and is not willing to be contacted outside of work, which is fair enough…in that situation the manager came to me to say that both parties have been talking about the issues and aren't working well together. In that situation, they are talking to them about what mediation is as a possibility, but there is always the concern that one or other won't buy into it- it is voluntary, you don't

have to do it, but it is an option. You know, I was saying to the manager, "you can't keep having these independent conversations with them where you're going around in circles, without getting anywhere and you are continuing to erode the relationship even further. You need to put it back on them and say I can't keep listening to this on an ongoing basis without coming to a resolution, so let's try resolve the issues". I do think they sat down in a room together and it did improve for a bit and then it's dipped again so we might need to go into a kind of process (mediation type approach).

Thank you for your time and participation in this study.

END

Interview 6: Experienced HR Professional and Line Manager (Female)

Prologue: Thank you for agreeing to participate in this interview. I am completing this as part of the Masters programme in Human Resource Management, in the National College of Ireland. This study will be focusing on the role of mediation in a financial services organisation. As previously mentioned this interview is completely anonymous and any information is confidential and collected specifically for the purpose of this study. I will be recording this interview on an audio device to transcribe later.

Through this study, I am hoping to gauge a detailed understanding of the role of mediation. Mediation is an informal method of alternative dispute resolution. As part of mediation, both participants must enter into this willingly and is facilitated by a neutral third party mediator. Mediation is a relatively new field and some aspects of this have not been explored fully. I am hoping that this research will help contribute to this field and evaluate mediation and its usage in organisations.

Interviewer: What is your role in the organisation?

Interviewee: I am currently the Employee Relations manager here. Previously I would have been Resourcing Manager and Senior HR Business Partner.

Interviewer: How long have you worked here?

Interviewee: Fourteen years.

Interviewer: Are you currently or have you previously managed people?

Interviewee: In my last two roles I have. In my resourcing role I had a team of ten and currently I have, at capacity, a team of four.

Interviewer: Do you have any prior experience of conflict in this organisation?

Interviewee: I have been indirectly I guess, particularly in my role as Senior HR Business Partner because you would be advising management where there may have been conflict or particular issues within their teams, how best to navigate it.

Where I've been involved in more is where it has gone to a formal policy, generally the grievance, disciplinary, bullying or harassment. So I would have led an investigation or been the support person for management representative.

Interviewer: In this role, would you have found people come to you because of your connections in the business or as a HR representative or to solve the problem?

Interviewee: A bit of a mix. When I was a Business Partner, we had just launched the model so there was still a little bit of confusion and apprehension as to what the role was, was it strategic shop, was it a one stop shop, was it there to do all my bidding when it came to people so there would have been a mix. So you could have people coming because we didn't have a strong performance management culture prior to bringing in our new PMDP system in 2012. So as we brought that in, people came in saying "I have an underperformer and they don't agree they are underperforming". So we had people coming with a very strong apprehension as to how they are going to do- not appreciating their role, they saw "well someone is underperforming or causing tension on the team- that's HR's problem- I need to tell them and they need to fix it for me". So we would start with that and move into people who were managing a person or case and giving them a lot more personal support, they knew what they needed to do. They were comfortable enough but a lot of frustration can come from managing a case like that. If you're not seeing progress or buy-in from the team member so you can turn into almost "confidante" where they can vent a little bit of advice and tell you if they're finding it difficult so that they could continue to manage and manage it well. There was a bit of personal coaching associated with that. As time went on and I moved around a bit, you would find people that would return to you because you had established a trust and they mightn't turn to you to fix it or solve it but to sound check their ideas or how to go about it. It's a great place to get to because they are moving from "This isn't my problem" to "This is hard" to "I have this problem and this is how I'm going to do it- does that sound OK". So you could hear the journey of capability building over a period of time.

Interviewer: Do you think line managers in this organisation would be well equipped to deal with scenarios like that?

Interviewee: Not in all cases. It depends on the level of experience as a manager and regardless of that sometimes, if it is a difficult situation, you are a person at the end of the day and it could take a lot out of you and depends on the situation. In my experience, moving into my role in Employee Relations, I would certainly observe that line managers still need a lot of support. They're happy to go and do it and take the lead but they do need the support in the background and reassurance in terms of how they should be doing it, how to frame the message, making sure they are following the process. They can do it but for more complex cases, where you might be tipping into performance management or probation issues they need a lot of support and reassurance in the background and that's where HR Advisory would come in.

Interviewer: What type of culture do you think this organisation has?

Interviewee: That's a tough question that hits on a lot of things. When you look at some of the work I've been involved in- Great Place to Work, Central Life, it is a very collegiate culture and very collaborative environment, we are a knowledge based organisation and you look at the four elements of our employee value proposition and it's knowledge, pride, variety and opportunity and they're the type of things feeding into our culture. We are quite a reflective organisation as well, we like our data and to absorb. Very much knowledge led and an intellectual organisation. From a cultural perspective, we are a friendly, collegiate organisation but quite risk adverse as well.

Interviewer: Do you think this type of culture has an impact on people's attitude towards conflict?

Interviewee: I think…yes a culture will always impact on the type of conflict in an organisation. The fact that it is by and large a very friendly environment, you can have a situation where somebody doesn't experience that and has an issue with one individual it can feel quite stark and say well "I haven't had this issue with anyone else". So it can impact on the perception. Our culture is not to go out

and give out to someone or to take a very harsh approach on someone. If you look traditionally, we wouldn't have a strong performance management culture up until 2012 and that is an area that has created a situation where people are being more actively managed and the perception of that management is not always that it's good performance management, it can be "I'm being singled out…not doing anything differently than I did ten years ago" so I think this can impact on the type of issues, case management that arose.

Interviewer: Whilst you were not involved in the launch of the mediation policy, would you be aware of the uptake of mediation across the organisation?

Interviewee: The uptake wouldn't be huge. Mediation doesn't happen automatically, it's generally voluntary, in some cases it never needs to get there- sorted out at source by good management or it gets to that point where it would be effective. I don't have the figures but it wouldn't have a significant uptake. But when it has been, it has been quite successful.

Interviewer: Do you feel that would be quite normal?

Interviewee: I don't think it's unusual. You would need to measure that against the number of overall issues that are arising…are we seeing widespread conflict here. I don't think we are. Generally, the type of issues that come up are in the context of the performance management process, where there is a lot of support for the manager and for the person to get to the level they need to be at. I don't think it's unusual when you pair that against the number of cases that may warrant mediation.

Interviewer: What types of cases do you feel lend themselves best to this form of conflict resolution? (grievance, performance issues, bullying, harassment, other)

Interviewee: I think the ones that lend themselves best are interpersonal issues, particularly within a team where people have different perceptions of how they are treating one another or being treated. It lends itself quite well there, you can air the issues in a safe environment and work out how much is perception and how much is intent. In my opinion, that's where it lends itself best. Less so maybe

in a situation where it is a performance issue because it can often be the management assessment of the individual and if they have gone through particular processes on that, then mediation is not necessarily going to solve the performance issue but might resolve the perception or appreciation around it. So less so around the performance issue side of things or if it's a long standing issue or festered, it has probably gone past the point of mediation in my experience. People need to be open to it. If it's a long-standing issue they may not be open to being in the room with that person and sharing views on something. In mediation, it's not about assigning blame, it's about moving forward and so sometimes, it may have gone too far.

Interviewer: This would lead us onto the next area I was hoping to discuss. Literature would often suggest that the earlier is better but when do you think is the most appropriate time to introduce mediation during conflict?

Interviewee: Yes, it's not always the case though. It's down to an awareness of the issue, it could be an interpersonal thing, the two people are getting on with it, maybe there is animosity there, or maybe it's not impacting their roles, it's not being observed, so it's hard to know at what point that would be picked up. I would agree, the earlier the better when there is less perception around what may or may not have transpired so definitely earlier. However, it is also about how that issue comes to light and that's very much down to the manager observing and taking a hold of it or the individuals raising the issue. Sometimes where that can come to light is where its reached the point of "I'm raising a grievance because I'm so fed up with how this is going" so it can be a pre-cursor to that. The ideal point is as early as possible but also before we get to a point where we're going down a formal route- maybe a preventative measure to the formal route. You can find a resolution all parties are happy with, without going into an investigation space that is not going to find a solution but will establish a way forward.

Interviewer: Do you feel there is a good awareness of mediation across the organisation?

Interviewee: I think you're aware of it if it's something that is relevant to you. If we went to staff to say "Do you know about our mediation policy"- they may know we have a policy but they wouldn't know a lot about it. Obviously it's a policy that we publish and promote but I think it's one of those that until you have had experience or need to, you probably won't have a strong awareness of it. You probably are more aware when something is going wrong versus our training policies or everyone will know we have a performance management policy. It is all within a particular context. I think the organisation makes efforts to make it known but I think people absorbing it and having an awareness… I'm not sure…

Interviewer: To what extent do you feel line managers are involved or have a responsibility to staff who are experiencing conflict?

Interviewee: They have a huge responsibility. It is a line manager's role to manage, lead and motivate their team. And to know what is going on within their teams. In the context of our mediation policy, you are looking at appointing a trained mediator to manage a situation but I think with the line manager, they should be applying some of those techniques as a matter of course if they are observing the conflict. As a manager, they should be observing where something is bubbling up, they should be observing this at an early stage- it is within their team. They should be trying to take that reasonable approach of re-grouping or trying to understand what is going on, how do they feel. They should be using those techniques, maybe without the label of "this is a mediation"; they should be used to positively influence the next stage where they see issues.

Interviewer: Whilst you mentioned that there are supports in place for managers, do you feel there is something as an organisation which can be done to better equip them?

Interviewee: I mean there is always room to better equip line managers and I think if you look in a wider context of good management, good leadership, good leadership programmes is an absolute must because that is what the team will experience under a manager- their leadership style, how they lead, motivate, interact. In terms of policies and managing output and delivery, there are

interventions in place around good performance management conversations, we do need and need to continue to have interventions in place. I do think training is essential and would be fantastic. I think when a particular issue comes up, you need someone who can be a support to the manager, in terms of "these are the things you need to consider" so regardless of all the training and prep, you will still need a support in place and that's what we have through HR Advisory. Some master classes would be good- not full on training courses but focusing on issues and going through them. Whilst training is great, I still do think you need to have real-time support for managers too.

Interviewer: This concluded the interview. Is there anything else you would like to add in terms of value, evolution, opinions?

Interviewee: I think having a mediation policy in place is a great step for us. Whilst the uptake isn't significant, I wouldn't measure the level of success on the uptake- it has to be looked at in the context of the culture, how often these situations arise. With mediation, the beauty is that its voluntary, its people who want to be there and move forward and want a solution.

Thank you for your time and participation in this study.

END

Interview 7: Experience in HR Advisory and Business Partner (Male)

Prologue: Thank you for agreeing to participate in this interview. I am completing this as part of the Masters programme in Human Resource Management, in the National College of Ireland. This study will be focusing on the role of mediation in a financial services organisation. As previously mentioned this interview is completely anonymous and any information is confidential and collected specifically for the purpose of this study. I will be recording this interview on an audio device to transcribe later.

Through this study, I am hoping to gauge a detailed understanding of the role of mediation. Mediation is an informal method of alternative dispute resolution. As part of mediation, both participants must enter into this willingly and is facilitated by a neutral third party mediator. Mediation is a relatively new field and some aspects of this have not been explored fully. I am hoping that this research will help contribute to this field and evaluate mediation and its usage in organisations.

Interviewer: What is your role in the organisation?

Interviewee: I am working as a Business Partner.

Interviewer: How long have you worked here?

Interviewee: I started here in May 2017, just over twelve months.

Interviewer: Are you currently or have you previously managed people?

Interviewee: No, I haven't ever managed people.

Interviewer: Do you have any prior experience of conflict in this organisation (directly or indirectly)?

Interviewee: Yes, I would. In terms of my education, I have a law degree and before I did a Masters in HR, I worked as Legal Executive while I was doing my FE1's so I would have had experience there of conflict because it was a private client based firm, it wasn't commercial so I would have seen different types of

conflict in terms of the cases I would have worked on, e.g. litigation. And then in terms of more recently, I did a Masters in Human Resource Management and then I did a Graduate Programme in XXX working in the Industrial Relations and HR floor as a Trainee Executive. That would have been exclusively working in scenarios where conflict was the base of most issues. And then moved in HR Advisory here and that would have been a mixture of Wellness activities and case management, which has a conflict element to it. As a Business Partner, you are brought into issues where there are conflict. This is opposed to being in Advisory where you are a centre of excellence, as a Business Partner you are facilitating a piece of conflict so that you then give it to the centre of excellence.

Interviewer: From your experience, what type of cases do you feel arise most in this organisation?

Interviewee: I think that grievances and eh…discipline issues, any issues of misconduct, poor behaviour, issues where performance is a root cause. If not handled appropriately by line management can lead to issues where mediation can be a good result. But I don't think that we're in a place where eh…internal or external to this organisation, that as a commercial environment I don't think we embrace mediation as much as we want to or as much as there is an appetite from staff for it.

Interviewer: Why do you feel that is?

Interviewee: I don't think it's true to say that it's a lack of awareness, I think people know that mediation is a service to which they can utilise…I think it's more to do with the fact that the business doesn't have the capability to offer the mediation service. So, while I can't speak directly to here, when I worked in XXX, I would have been involved in many, many cases that went to the Workplace Relations Commission, before a case goes to adjudication, part of the forms the WRC give you let you chose to go down mediation and a lot of the time the employee would have selected mediation but the WRC themselves didn't have the facility to do it so it would have gone straight to adjudication.

Interviewer: With a mediation policy in place, do you feel there has been a high uptake on this?

Interviewee: I'm not sure, in the twelve months I've been here. I don't think that it's been very successful. I think that it could be used a lot more positively and prominently. I know there are certain aspects of the Advisory function where they do a "documented discussion". Are you familiar with this?

Interviewer: No, I wasn't aware. Can you elaborate?

Interviewee: So a documented discussion is something I would class as being very similar to a mediation. Both parties get together, with a line manager, employee and member of Advisory and they have a discussion as to the incident that would have brought them to the occurrence. So basically they talk it through, reiterate the XXX policy, give the employee the opportunity to give their feedback and then say that they won't be progressing this to a disciplinary sanction or stage and that, that itself would resolve the issue there and then by being through the documented discussion. Would you see parallels between that and a mediation?

Interviewer: Yes, I guess so. Although would the fact that you are documenting it not making it more formal? Like would they…having HR in the room as well, does that not give it a different vibe or sense of the meeting?

Interviewee: Well, within the mediation sessions within XXX, is HR not involved too?

Interviewer: Yes, but well…in the sense…that would only be because the mediator is within the HR Division. So then, I guess would you feel that HR's involvement and having a mediator within HR is a positive thing? Or would be perceived differently by people?

Interviewee: I think it would be good for the perception of HR as going out into the business and participating in processes like that. In an ideal world, where the line manager himself was trained as a mediator it would be very effective because it would improve the relationship between staff and management. I'd say it would

have a very positive effect on both employee and manager and as a consequence, the amount of issues that come through HR.

Interviewer: From your experience, being out in the business, do you feel that people go to you to solve an issue or they go for advice and support?

Interviewee: So I think it's a mixture of both. It depends on the style of the manager. Some managers will have the approach where they want to nurture their staff and catch issues one to one, so that they can come with advice and say, "This person is having an issue but it hasn't come to a head yet, what should I do". They are asking you for advice to go and solve it themselves. But then you have other managers who will not have taken that approach in terms of engaging the problem and try and mediate or solve it and will wait until it comes to a head and say "This is after occurring, can you help resolve it". So they are looking for help and if not, for it to be passed to one of the centres of excellence to resolve it.

Interviewer: In this organisation, do you feel line managers are equipped to deal with instances or conflict like this?

Interviewee: I don't think that XXX does enough to equip them in a formal sense. If they are equipped, it would be as result of their tenure in employment. Where they have a character or disposition to resolve these things themselves. But I don't think there is enough being done. I know there are certain training courses at the moment that they are doing but we could certainly do more to equip our managers.

Interviewer: What types of cases do you feel lend themselves best to this form of conflict resolution? (grievance, performance issues, bullying, harassment, other)

Interviewee: Eh…I think bullying cases, not harassment, would lend themselves to mediation…and petty grievances.

Interviewer: And what do you think about if there was a senior member of staff who has accusations of bullying against a junior member of staff… do you feel mediation would be suitable in this instance? A power imbalance type scenario?

Interviewee: Actually I would agree with you there. I don't think that would be fair. It would depend on the level of staff member where the mediation would be most applicable, but certainly not with a junior and senior member of staff. I think it would be difficult to do a mediation with a junior member of staff in any scenario besides bullying or harassment.

Interviewer: Do you think as a grade based organisation that this can impact on people's attitude towards conflict or the way in which they handle it?

Interviewee: Not in my experience in the bank has it made a difference. Theoretically, you could make the assumption that if someone thinks that the grade is important to them, they could be condescending to other people, which could cause conflict, which could end in a mediation type scenario.

Interviewer: Leading on from that, what type of culture do you think this organisation has?

Interviewee: It's a difficult question to try and define culture. But I think there's…with the move to the XXX, it's become very progressive, so it's a very inclusive culture. I think I've come in at an interesting time, in terms of a transition, like even moving from X to Y, I think there is more to it than that and XXX are trying to energise itself. I think the culture has come with that, so participation in the Great Place to Work and subsequent results shows that there is some short-falls but we are trying to empower staff to have an inclusive and diverse workforce and to recognise that that's what we want…it's a tough one. To try and have a good work-life balance as well and to promote that with staff, to try and promote facilities on site that promote is something that we're doing that all feeds into our culture.

Interviewer: Let's talk a little about mediation. With a mediation policy in place, what is your opinion on internal and external mediators?

Interviewee: I think that internal mediators are great to have. Whether it's a staff member who joined and already has the skilled, the staff members know them…although I guess that in itself has pitfalls but I think it's good to keep

internal and from a talent management perspective, I think it's worth investing in staff and giving them that skill set of being a mediator, as opposed to taking it from the market.

Interviewer: I guess whilst literature would often suggest a best point of intervention. In practice, what do you feel is best?

Interviewee: I feel "as soon as possible" is probably not the most suitable approach. It's possibly a combination of two things, possibly the staff members themselves don't want to recognise that the conflict is as bad as it is and would hesitate in taking it to their line management and then, the flipside, being the management avoiding addressing it until it gets to a more exaggerated point so I don't think it is nipped in the bud enough as it should be.

Interviewer: To what extent do you feel are line managers involved in the process or have a role in conflict resolution?

Interviewee: In my experience, the line managers, don't have a large role to play in the mediation itself, it is more HR in my experience. I think it would be fantastic if the line managers were heavily involved in it. It would be a much more effective process if it was the line manager resolving it as long as they weren't involved in the issue. It would be great. As well, it would, briefly going back to culture, it would show there is more trust in the organisation if you let managers manage their own conflict. Maybe train them to be mediators and then let them manage and then come to Advisory or Business Partners for initial supports.

Interviewer: This concluded the interview. Is there anything else you would like to add?

Interviewee: I think it should play a larger role in organisations than it does at the moment and I think it's to do with…a lack of investment in getting people trained and involved to do it…I think outside of the realm of the XXX, as an industrial relations landscape, Ireland is conflict adverse, as opposed to welcoming conflict. We'll say in Germany, they recognise conflict as something that is part and parcel of working life. I think Ireland doesn't and I think that might explain why there

isn't as much mediators around. We don't welcome conflict as something that will happen regularly…it might be attributable to the fact that we don't have as many mediators too within the workplace as we should. That's just my opinion anyway!

Thank you for your time and participation in this study.

END