

RESOLUTION POLICY AND PROCEDURE



**University
of Dundee**

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Contents

1. Introduction	3
2. Alignment with University Core Values	3
3. Purpose.....	3
4. Scope	3
5. What is Early Dispute Resolution?.....	4
6. Procedure	5
7. Confidentiality & Impartiality	6
Document information.....	7

1. Introduction

The University of Dundee is committed to encouraging healthy working relationships for all staff and students and others engaged in University life. Personal wellbeing is important, and it is recognised that harmony in the workplace impacts positively on staff and student morale and performance.

However, it must also be recognised that in any dynamic and progressive organisation such as the University, where pursuit of knowledge thrives on challenge and discourse, disagreements are inevitable from time to time and when that happens it is important to support staff and students to help them to resolve a dispute or conflict as quickly and efficiently as possible.

Early Dispute Resolution (EDR) or Mediation is a service which is provided by the University to offer a confidential and safe space to help individuals resolve any difficulties they have within a workplace relationship. The EDR Team offer staff and students the opportunity to seek reconciliation to a dispute using a confidential, fair and dignified approach and in a non-adversarial manner.

2. Alignment with University Core Values

The University defined a set of core values, which are fundamental to working and studying at the University of Dundee. The Resolution Policy aims to support the University in its desire to foster an environment of collegiate and respectful working practices.

The Resolution Policy particularly aligns with the following three core values:

Making a difference

Focus on working well with others to get results.

Valuing People

Treat everyone with equal respect, valuing their contribution to the University.

Recognise and respect differences, actively promoting inclusion.

Integrity

Behave ethically and professionally, with the best interests of the University at heart.

Be open to challenge without defensiveness and willing to challenge without aggression.

Have the courage to question actions that are inconsistent with University values.

The Policy aims to support staff and students if they feel these core values are not being upheld.

3. Purpose

The Policy supports individuals to resolve conflict or disagreement as early as is possible and supports the University as it ensures its stated core values are upheld. The Policy accepts that early dispute resolution is an effective informal approach to conflict resolution and to the maintenance of healthy working relationships in the University.

4. Scope

Early Dispute Resolution is available to all staff and students of the University at any time when there is a perception of a dispute or conflict between individuals or a group of individuals.

Early Dispute Resolution is an option to consider pursuing first in the event of a conflict or dispute. It should be noted that in doing so, it **does not affect the rights** of staff or students under any of the University's other policies or procedures which may be applicable in the event of a dispute or conflict.

The full list of University policies applicable to staff is available at [Policies & Procedures - Human Resources - The University of Dundee](#).

The full list of policies applicable to students is available at [Policy Statements, Regulations & Guidance : Academic and Corporate Governance : University of Dundee](#)

5. What is Early Dispute Resolution?

Resolution through mediation is a confidential informal process which aims to help individuals find positive solutions to their dispute. An early dispute resolution approach focuses on the future working relationship of the individuals concerned as it attempts to resolve the conflict or disagreement. This is achieved without dwelling too much on the past and without apportioning blame, and instead by encouraging individuals to mutually acknowledge where issues have arisen and to develop strategies for working together in the future. The process ensures individuals in conflict maintain control of the process of resolution, without involving others or other procedures/processes - unless they decide to do so.

The University has a team of accredited mediators to help resolve disputes in any part of the University if required. The mediators remain neutral to the issues of the conflict and aim to professionally facilitate a dialogue between the individuals, leading to greater understanding of their differences.

The Resolution Policy assumes that the responsibility for the resolution of a conflict or dispute remains with the individuals concerned (the 'parties'). The accredited mediators will work with each of the parties both individually and then together, supporting them through facilitated meetings with the aim of achieving a resolution to the dispute in an informal and confidential manner.

It is recommended that students and staff consider whether an early dispute resolution approach is desirable to resolving their disagreement or conflict, before making the decision to invoke any formal grievance or complaint procedure.

Early Dispute Resolution is an entirely voluntary process. It may be suitable to consider for:

- Disputes between staff or students who work closely together.
- Disputes between groups of staff or students that work closely together.
- Disputes or grievances between staff and their manager or students and staff.
- Allegations of bullying or harassment (staff or student).
- Concerns about equity of treatment/opportunity.

There are a number of ways in which EDR may be able to help:

- Mediation between two or more individuals involved in a dispute.
- Development days (group mediation) for Teams who are not working well together.
- Individual support for staff or students who feel they're experiencing relational difficulty with someone in the University with whom they engage regularly.
- Individual support to managers of staff involved in a dispute.
- Conflict Management training via the Organisational & Professional Development Programme (OPD).

Dispute Resolution may also be helpful in cases of complaints about working environments/practices or about distribution of resource.

Early Dispute Resolution is provided by the EDR Team of mediators who are accredited by Scottish Mediation: <https://www.scottishmediation.org.uk/>

For a mediation to go ahead, the parties must agree that this is an approach they both wish to take, to try to resolve their dispute. If one party does not wish to mediate and the dispute moves into a formal process, there will be no adverse consequence for the party who declined the opportunity of mediation.

Exclusions

1. Because engagement with EDR is voluntary, mediation cannot be used during formal University policy and decision-making processes.
2. It is also not appropriate to consider using Early Dispute Resolution to address allegations of illegal or criminal activities, including breaches of Health & Safety regulations.

6. Procedure

The EDR Team may be contacted directly by email (edr@dundee.ac.uk).

A member of the team will respond within 48 hours and will arrange a discussion with the inquirer to ascertain how the service may be able to help.

Individual support for staff or students (or managers of staff) experiencing relational difficulties will be referred to an EDR team member. If mediation is considered appropriate, the mediator will offer to contact other parties involved to invite them to participate in a dispute resolution process.

If the informal dispute resolution process is accepted by all parties, mediators will meet each person individually to understand their issues/concerns with a view to bringing both parties together in a mediated discussion.

The EDR Team operate a policy of co-mediation. This means that all mediations will involve two members of the mediation team.

Before a mediation takes place, each party will be required to sign a confidentiality agreement.

The mediation meeting aims to:

- Encourage an open and honest discussion between the parties.
- Encourage a mutual understanding of each perspective.
- Encourage mutual explorations of possible solutions or options.
- Assist the parties to find a mutually agreeable outcome.

There are no records or notes taken before, during or after a mediation except those recorded by the parties themselves as part of a mutual agreement and/or action plan (if appropriate). The outcomes of the mediation remain confidential to the parties involved unless they both agree to pass details on to others (e.g., line managers).

Staff referrals to EDR can be made by HR officers, by Trade Union representatives, by line managers or other supervisory staff.

Students may be referred by any member of staff in the University or by DUSA.

Any individual may also self-refer.

7. Confidentiality & Impartiality

Individual EDR team members do not work with persons where there is or perceived to be a conflict of interest, for instance where a party to a dispute is known socially or otherwise by the mediator.

Within the limitations of the law and unless there was a belief that someone may be harmed, everything discussed with a mediator before and during a mediation will be kept confidential.

Whilst it is hoped that a mediated approach will resolve a conflict or dispute, it may not do so. It should be noted that it is an independent process which stands apart from University statutes and formal policies. For this reason, participation in mediation does not prevent an individual invoking formal procedures at a later date. However, the confidentiality agreement signed by each party ensures that any detail revealed in the mediation process is inadmissible in a future formal procedure or process.

The EDR team are reflective practitioners and may use anonymised case studies in supervision or training.



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Document information

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