

Scottish  
Community  
Mediation  
Centre

# Community Mediation Management Manual



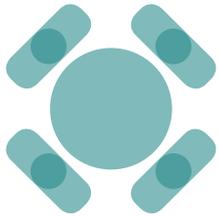
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SCMC trainers have delivered mediation skills training since 2000. The Centre, which is managed by Sacro and funded by the Scottish Government, has provided services to a wide range of international, national and local government agencies as well as other bodies such as charities, social housing providers, police and ombudsmen.



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## Community Mediation Management Manual: Introduction

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This manual is aimed at assisting anyone involved in planning, launching or running a community mediation service in Scotland. It has been produced by The Scottish Community Mediation Centre – a Sacro initiative funded by the Scottish Government to provide a comprehensive service of training, consultancy and practice advice on all aspects of community mediation delivery.

The manual reflects the service and mediator standards put in place by the Scottish Community Mediation Network.

The manual is divided into three sections:

### 1. Starting Up

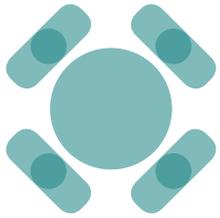
The why, what, who, where, when and how of setting up a service.

### 2. Up and Running

The policies and procedures required to run an efficient service.

### 3. Keeping Running

Evaluating the continuing effectiveness and relevance of services.



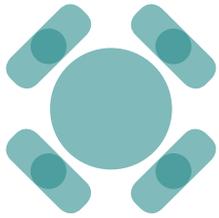
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## Section 1

# Starting Up

The why, what, who, where, when and how of setting up a service.

This section deals with setting up a community mediation service.



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## 1.1

## WHY?

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It may seem a great idea to set up a community mediation service but before you start forming a steering committee and looking for funding you might want to ask some basic questions. For example, have you done any research to establish whether there is a demand for the service?

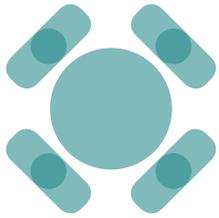
If there is a demand for a community mediation service in your area there may be other ways to meet the demand e.g. another well established service may be able to expand to include your area.

Are you the right people to set up a service or is there an existing group who could deliver a service?

Are you confident you can recruit people who have the energy, the commitment and the necessary skills and experience to successfully establish a viable service?

Are you clear about your personal expectations and are these realistic?

Will key organisations and people in the locality be sympathetic to what you want to achieve?



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## 1.2

## WHAT KIND OF SERVICE?

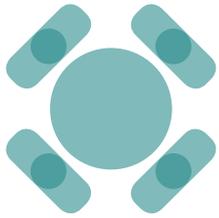
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When you have established a broad need for a Community Mediation service in your area, the next step will be to decide what kind of service is most appropriate. Community mediation services vary quite widely in their nature and scope, and most develop and change as they gain more experience.

It may be sensible to aim to start with a basic neighbour dispute service and to build on this as you go along but this will depend on a number of factors including the profile and needs of the locality and the interests and aspirations of possible funders. Some types of activity such as mediation between neighbours and mediation between young people at risk of homelessness and their families are almost always free to users at the point of delivery. Other activities such as mediation in workplace disputes are often charged for.

Here are some of the commoner areas community mediation services get involved in:

- > Neighbour mediation – between individual neighbours or groups of neighbours in dispute
- > Homeless/intergenerational mediation – between young people at risk of homelessness and their families or carers
- > Street mediation – between groups of young people and others in the community
- > Workplace mediation – between individuals in the workplace involved in interpersonal conflict
- > Group mediation – between groups in the community – e.g. environmental disputes, inter-agency disputes
- > Additional support needs mediation – between young people/their carers and education providers
- > Schools work – training and supporting peer mediators
- > Training services – providing mediation training for groups and individuals.



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## 1.3

## WHO?

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Who should run the service? Community mediation services can be provided in a number of different ways but the commonest models are either stand alone voluntary sector agencies or in-house local authority services. There is no definitive optimum model for a community mediation service – this will depend on a range of factors such as geographical area, existing service provision, the nature of potential funding and the needs, values and strategic priorities of potential funders.

The choice of model you select will be a major governor of what you can realistically expect the service to achieve and should be heavily influenced by what your aspirations are. For instance, if your primary aim is to spread mediation skills through a local community you may select a model that will place great emphasis on the training and utilisation of local volunteer mediators, whereas if a major part of your work will be providing specialist workplace services, this may not be a primary concern. It is, of course, possible to change who runs a service at a later point but it is often better to make an appropriate decision as early as possible. You should think about the following questions:

- > Will potential clients be more receptive to a local authority-run service or an independent one?
- > Are there potential conflicts between the function of the agency employing the mediators and their professional role?
- > Will the model you choose be seen as impartial by the potential clients and referring agencies?
- > Will the model you choose have or be able to develop efficient financial and personnel management?
- > Will the model you choose be conducive to the development of a service with a strong local identity?
- > Does the model allow for clear allocation of responsibility for day-to-day service management and overall policy direction?
- > Will the model fit in with local inter-agency strategies and initiatives?
- > Is the model capable of delivering and supporting a service that meets national good practice guidelines such as those produced by the Scottish Community Mediation Network\* and Scottish Mediation Network?

[\*hereafter referred to as SCMN]



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## 1.4

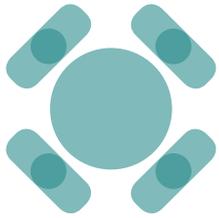
## WHERE?

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The demographics of a region and the area to be covered by a service have operational consequences for service managers.

Things to think about:

- > The service users – who is likely to use the service and where do they live?
- > The geographical extent of service provision – will service provision be defined by local government boundaries or extend beyond them?
- > The area to be covered. A single service may cover a large area where the population is scattered, or a single densely populated area. Some services need to cover urban and rural areas
- > Where clients are seen – at home, in an office or in a familiar local building e.g. a private room in a local community centre
- > Where the service is located : services covering large geographical areas or densely populated areas may need more than one office. This may be one main office and a number of satellite offices, a number of small offices in different areas and/or shared office space in different localities
- > The accessibility of the service. Easily accessible services will be used by many more people than a service in a remote, less accessible location
- > The geography of the region and transport links affecting take up of the service. In large rural areas visits must be meticulously planned to optimize travel time and costs.



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## 1.5

## WHEN?

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The requirement to set up a service may be determined by political factors e.g. as a result of election promises, new legislation and funding being available. Even when timescales are set by others e.g. employers or funders there is still scope to choose a 'best time' to set up in business.

Things to think about:

- > An advisory committee with local knowledge
- > The resources available now and the likely resources available in the future
- > Staging service delivery: having a pilot stage, an initial stage with lower targets and expectations and a fully operational stage
- > Staffing: the availability of trained staff available now and the need to train staff
- > Start up date: if possible link this to other events to benefit from the publicity and the interest created by complementary initiatives, campaigns or special events e.g. a new community mediation service may decide to open its doors on National Noise Day
- > Avoiding certain dates, times or periods e.g. Christmas and New Year or other events that might mean publicity is harder to obtain
- > What sort of launch would be appropriate? A high profile launch incurs expense but is also an opportunity to raise public awareness of the service.



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## 1.6

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## HOW?

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### 1.6a

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### Money

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Most community mediation services are free to the service user so sufficient funding is required to cover all aspects of service provision. Money may be available from:

- Local authority housing, social services or environmental health departments funded by grant, a service delivery contract or on a case-by-case basis
- Local housing associations
- National initiatives such as central government funding
- Local community trusts
- Local businesses
- Charitable trusts.

Failure to secure adequate long term funding may put the service in jeopardy and in planning the service you must consider the immediate costs and the long term costs – a small independent mediation service with a full-time co-ordinator and a staff member or group of volunteers will require an annual budget of at least £85,000.

Funders need to know what is required to start a service and continue to support a service so you need to have:

- A business plan and costs for setting up a service and annual running costs
- Projections for service usage
- Financial management systems in place for budget control and budget revision
- Continuing monitoring and evaluation procedures (of finances and service provision) for funders
- Clear financial accounts and reporting to funders
- Failure to have these controls in place is likely to result in future problems with service delivery.



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## 1.6b

## People

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A common service model is to employ a paid co-ordinator (or manager) and several mediators – either paid or volunteer. The co-ordinator may or may not have formal mediation training but training is crucial for people who are acting as mediators.

All mediators conducting a mediation meeting should undertake training that meets SCMN standards i.e. -

- A basic mediator training course run by experienced mediators, who are also trainers, of at least 30 hours
- Opportunities to shadow and work with experienced mediators
- Mentoring by experienced mediators.

Individual mediators should have access to

- Continuing professional development courses
- Advanced mediation training
- Support and supervision
- Peer mentoring and debriefing.

A volunteer mediator should be able to have a caseload of approximately 10 cases a year. They will need to undertake at least three cases a year to keep their skills levels up to date. An employed mediator will handle a larger caseload dependent on how much administrative support is available – this can often be seven or eight cases at a time.

The task that the mediator is to fulfil should be stated in a job description and person specification. That person specification should be applied to each candidate and it is essential that the recruitment panel be composed at least partially of people who are experienced mediators.



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## 1.6c

## Place

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A community mediation service needs to be identified by users as an impartial resource and distinct from other services such as housing or anti-social behaviour teams. One of the ways this identity can be developed is by having separate premises.

Things to consider when you are deciding where the service should be located:

- > Is the location within your budget?
- > Does the location and type of property emphasize that the service is independent e.g. does it have its own reception area and ambience?
- > Is it readily accessible to users including those who are disabled e.g. does it have ramps or lifts, clear signs, good lighting?
- > Does it provide an environment which is good for those working in it and for those who may use it for mediation meetings e.g. a warm friendly environment and a discrete area to talk to someone about difficulties?
- > Does it have adequate facilities for users, both staff and clients, for administration, mediation meetings, training and separate waiting areas for clients?



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## 1.6d

## Policies

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Policies will be required to cover:

- > Health and Safety at Work Acts
- > Employment legislation including contracts
- > Data protection legislation
- > Equal opportunities legislation to include race relations, sex discrimination and disabled persons
- > Insurance covering public liability, professional indemnity, employer's liability and risks e.g. buildings insurance may be appropriate depending on the nature of the service.

In addition to these you should have personal safety policies which give staff, both volunteer and paid, guidance on such matters as:

- > Minimising risk to self, co-mediators and clients
- > Reporting incidents and general matters of health and safety such as use of accident books
- > Ensuring access to staff and client information is secure and properly organised.

The service must have clear policies which staff, or clients, can refer to and which give clear guidance on the service approach to particular issues or events. These policies are necessary to help make service delivery as equitable and efficient as possible. Policies require regular review, updating and amendment as appropriate to ensure compliance with changing laws and circumstances.



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## 1.6e

## Product

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Once funding is in place you will need to let potential clients know about the service.

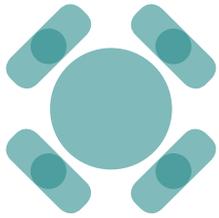
You should have a separate and adequate publicity budget and be pro-active in offering your mediation service to other bodies such as the local housing and environmental health departments, citizens' advice bureaux, police etc. by way of leaflets and presentations.

For many people mediation is still a completely unknown concept. This means that in the early stages of your service at least, you will need to put considerable energy into raising your profile.

Contact:

- > Local press and radio by way of press releases and interviews
- > Local groups such as Round Table, Women's Royal Institute, churches etc offering speakers
- > Community centres, libraries, post offices, council offices to put up posters and distribute leaflets etc.
- > Local housing associations
- > Other welfare groups.

Your main referral sources are likely to be the local council and the police – offer them one or half day mediation awareness courses or short presentations to front-line staff. Be clear about the types of disputes you are able to offer mediation for and give examples. You should approach publicity with commitment and enthusiasm. You may take it for granted that mediation is wonderful but other people won't!



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## 1.6f

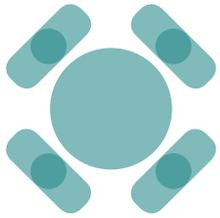
## Training and qualifications

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The Scottish Community Mediation Network is committed to the following:

- > All mediators should be trained and assessed to nationally-approved standards and assessed as competent to practice
- > A system of post-qualifying continuing professional development should be available to ensure continuing mediator competence
- > All mediation services should be assessed to nationally agreed standards.

SCMN standards and accreditation schemes can be obtained by e-mailing: [info@scmc.sacro.org.uk](mailto:info@scmc.sacro.org.uk)

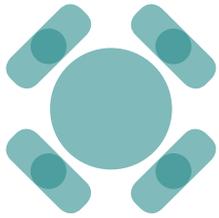


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## Section 2

# Up and Running

The policies and procedures required to run an efficient service



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## 2.1

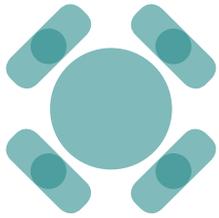
## FIRST CONTACT

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Many people will not have had any previous direct experience of mediation, mediation services or mediators so it is important that their first contact is a helpful, positive experience. Most people's first contact is by phone which is less personal but more convenient for the majority of callers. Others prefer to speak to someone face to face and are willing to make the journey to an office to discuss their situation.

Things to think about:

- > Making your telephone number and contact details easy to find
- > Where your phone number is listed i.e. where will it be seen?
- > What type of phone number to use e.g. a free phone number or an easy to remember number?
- > What type of line to rent e.g. a dedicated line with direct access to the service so that calls do not have to be transferred from another number or main office number?
- > Whether the phone number is set to register on peoples' systems or will be listed only as 'number withheld'
- > Who answers the phone or opens the door to potential clients and how they introduce the service
- > What days and times of day the service is available both to visitors and phone callers
- > Where to direct enquiries when the service is not available.



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## 2.2

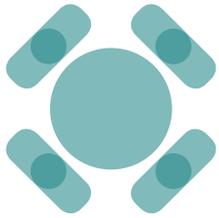
## RESPONDING TO ENQUIRIES

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Callers may be frustrated, angry or annoyed with the situation they are involved in. Mediation staff and volunteers therefore need to be polite, calm and clear with clients who may not understand or want what mediation has to offer. If your service offers a drop-in facility then staff and volunteers need to be able to handle difficult behaviour when it arises, and staff answering telephones need to be able to handle difficult phone calls.

Things to think about:

- > Screening calls
- > Safety and security measures for the front door and front desk and for interview rooms
- > Training for front desk staff and people taking calls
- > Having written information available e.g. clear, colourful and easy to read leaflets on hand for reference and to take away
- > Friendly, clear and jargon-free letters, forms and information
- > A short name for the service that identifies what you do
- > Setting a required response time for returning telephone calls, letters and dealing with enquiries, referrals and callers
- > A required response time for allocating cases to mediators
- > A required response time for mediators making contact with clients and first visits
- > How to record and monitor the number and type of enquiries and responses as an element of service provision
- > How to deal with inappropriate calls/callers
- > Where to direct calls/callers if mediation is not appropriate
- > Referral processes – self referrals and agency referrals.



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## 2.3

## SUITABLE FOR MEDIATION?

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Most people are agreed that some situations are not likely to be suitable for mediation and most community mediation services have referral criteria designed to help agencies refer appropriate cases. For instance some services are unwilling to get involved in cases where someone's addiction to drink or drugs means they can't control their behaviour; other services might have a policy that they won't mediate in cases of deliberate and sustained prejudice.

There isn't universal agreement on what is and is not suitable for mediation. Some mediators believe each case must be decided on its merit and a first visit is needed to assess the potential for mediation. Others would argue that this doesn't help referring agencies to make best use of a service's resources. Sometimes funding arrangements for services may mean that they are only able to offer mediation to people in a particular area or to a particular age group, and in other cases services may be unable to provide a particular service e.g. the staff may be under-resourced or inexperienced so would not feel able to offer something like a large-scale group mediation.

The most important thing, though, is that services need to decide these issues and let everyone know what their referral policy and procedure is.

Service users and referrers need to know:

- a) Any absolute restrictions e.g. geographical boundaries, types of conflict
- b) Who makes the decision on the suitability for referral
- c) When decisions are made e.g. after preliminary visit
- d) The nature of any advice, guidance, assistance or signposting to be given to people where it is decided mediation is inappropriate.



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## 2.4

## OPENING A CASE

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A referral does not become a case until the parties directly involved in a neighbour problem agree to a visit. The mediation service contacts all parties to arrange these visits to hear more about the problem and explore mediation as an option.

The parties and the mediators assess the match between what the parties want and what is on offer. The parties' expectations of the mediators and the mediation process need to be explored when mediation is discussed:

- > At the enquiry stage
- > At the referral stage
- > At initial meetings/home visits.

If the parties have received information about mediation – how it works, what to expect and what is expected of them – and have decided to go ahead, then you need to consider the following:

- > What needs to be recorded for funders, service monitoring and evaluation purposes and case management purposes.
- > Who will have access to this information – you must be aware of data protection laws and have a policy on confidentiality and client access to records.



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## 2.5

## MANAGING A CASE

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All services, regardless of size or type, need to develop an effective process for the administrative and operational management of cases. It is also necessary that there is a written description of the process which is clear enough to be understood by new mediators and support staff. Some services use a computerised case management system, others operate with manual files and casebooks. Either way, there should be a systematic process with clear procedures at each stage of a case's "lifetime".

### Accepting Cases

How are decisions made as to whether to accept cases or not? Where are the details of the case recorded? How is the case allocated to particular mediators and how is information passed on to them? If an agency referral, what feedback do they get?

### Initiating Action

Are clients contacted by phone or letter? Are there standard agency letters? Who makes appointments? How long is allowed for appointments? Is the appointment entered in the office diary and recorded in the case file?

### Client Meetings/Mediation Sessions

Should the venue be the client's home, in a neutral venue, or in the office? How is the meeting recorded and by whom?

### Case Tracking

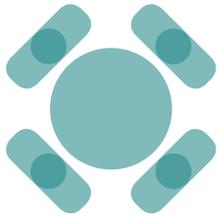
Are there systems (manual or computerised) in place for ensuring cases remain "active" until they are closed according to agreed procedures? How often are cases reviewed to monitor progress, and whose responsibility is this? Are case records of sufficient detail that a new mediator could be appointed to a case and be able to ascertain what stage the case is at, what each party's position and wishes are, and what the agreed next step is?

### Case Closure

Who decides when a case is closed and how the outcome is defined? Are clients and referring agencies informed when a case is closed? What happens to the case record?

### Statistics

Are cases classified by type and outcome according to a recognised classification system such as that recommended by SCMN? Is there a system for reviewing the level of casework and outcomes on a regular basis?



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## 2.6

## THE MEDIATION MEETING

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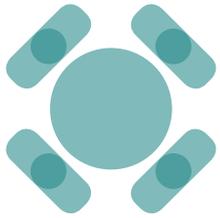
The mediation meeting should be in a neutral location unless there are strong reasons against this e.g. someone is housebound. A community centre, public library or similar venue that is easily accessible and acceptable to everyone should be offered and arranged. You may find it helpful to build up a folder of available venues with details of:

- > Contact numbers and persons
- > Disabled access and toilets, stairs
- > Kitchens and number of rooms available
- > Telephones and photocopiers
- > Child care facilities
- > Levels of privacy, parking and costs.

Safety of mediators and clients is of prime importance as is disabled access and toilets if someone is wheelchair bound. Everyone attending should be given clear details as to date, time and location of the meeting and if young children are involved childcare provision should be checked out. Are the clients themselves arranging this or do they expect your service to arrange and pay for childcare? Before a meeting is arranged mediators should have prepared people for the meeting so they know what to expect, what is expected of them, and how the meeting will proceed. It also useful to have agreed some ground rules to help the meeting go well.

On the day of the meeting you should ensure:

- > That the venue is prepared for the meeting
- > That you are aware of all safety measures e.g. any fire alarm tests planned, assembly point, fire exits
- > That you know the provisions for people with special needs e.g. fire safety areas.

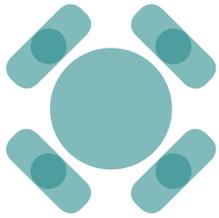


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## Section 3

# Keeping Running

Evaluating the continuing effectiveness and relevance of services



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## 3.1

## SHOULD YOU STILL BE RUNNING?

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Once a service has established itself, developed, tried and tested policies and procedures and been in operation for a while, it may seem that most of the difficult work is done. It may seem self-evident to you that your service is a worthwhile one, providing valuable service to the community, and you may have lots of success stories to illustrate this. Every so often, though, (maybe around every three years) it is useful to take a look at what the service is really achieving, and ask what would happen if the service stopped. Here are some questions which you might find useful in reviewing how useful your service really is:

- > Is there still a demonstrable demand for the service?
- > Are adequate resources still available – funding, staff, volunteers, premises?
- > Is the service still doing what it set out to do?
- > Are you keeping abreast of current developments?
- > Is the service a positive environment to work in?
- > Are there other people/agencies around who could do what you do better?



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## 3.2

## HOW FAST ARE YOU RUNNING ?

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Case-related monitoring and evaluation of service effectiveness are important in order that client satisfaction levels can be checked and service changes made to either maintain or improve overall performance. There is a need for the service to be efficient and be able to demonstrate efficiency in terms of:

- > Speed at which your service meets client demands
- > Mediators being responsive and empathic to client needs
- > The service effectively reaching the client group it is aimed at
- > Client satisfaction in terms of the service provided and outcomes achieved.

You also need to satisfy funders and stakeholders that your service is:

- > Meeting targets
- > Reaching the agreed aims and objectives
- > Regularly reviewing professional practice and procedures to ensure best possible service provision
- > Comparable in terms of efficiency and effectiveness with similar service providers.

Coupled with these, monitoring and evaluation help identify:

- > Staff satisfaction and morale
- > Individual performance
- > Training needs.

Monitoring and evaluation also provides a statistical base for services to:

- > Justify service continuation (or not)
- > Reveal areas for service improvement and growth
- > Establish value for money.

A simple case monitoring programme that collects data on dates, mediators, actions, outcomes and client satisfaction should be an invaluable tool and an essential part of any mediation service.



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### 3.3

## WHAT DIRECTION ARE YOU GOING IN?

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Mediation is an emerging profession and competition is keen so it is important to compare what is happening in your service with what is happening in the wider world of mediation. The best way to do this is to keep up to date with local, national and international developments by reading journals and articles in the press and on the Internet, joining a network or setting up a network that shares your interests.

Things to think about:

- > Where you will be in five years time
- > Planning for the future you want – being pro-active not reactive
- > The external and internal factors driving change
- > The range of services you provide – should they be broader or narrower?
- > How you can make your service more accessible e.g. telephone support, on-line mediation services, and drop-in facilities
- > The 'fit' between your organisation's structure and its purpose
- > The match between the size/structure of the service and type of service offered and the location of the service e.g. local versus central
- > Regularly reviewing and revising the strategic plan, the effectiveness of the organisation, its operating systems and communication systems.



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## 3.4

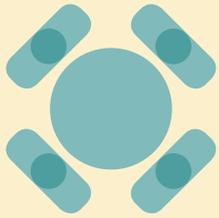
## RUNNING BETTER

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Conflict in organisations cannot be avoided so it is best to be prepared for it and have contingency plans to help you manage it when it occurs. Mediators should have the necessary personal and professional skills to handle grievances, complaints and stress appropriately but may not always deal with them at an early stage unless ways and means are in place and available.

Things to think about:

- > Introducing a Constructive Communication policy
- > Making your organisation a Listening Organisation
- > Ensuring support and supervision sessions are effective
- > Having a mentoring system
- > Having counselling available
- > Having independent (workplace) mediators to call on
- > Increasing the conflict handling skills of staff, volunteers and committee members.



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Centre

The Scottish Community Mediation Centre has a national and international reputation for high quality training and consultancy work in the field of community mediation and constructive conflict resolution. The Centre, which is managed by Sacro and funded by the Scottish Government, has provided services to a wide range of national and local government agencies as well as other bodies such as charities, social housing providers, police and ombudsmen.

We provide a comprehensive service of training, consultancy and practice advice on all aspects of community mediation, as well as acting as the administrative base for the Scottish Community Mediation Network and its accreditation schemes.

We are able to offer a range of resources on all issues around constructive conflict resolution in neighbourhoods. Training, advice, guidance and assistance are available to mediation services, social landlords, and all other agencies concerned with neighbourhood conflict.

## Assistance

- Information and advice on community mediation and constructive conflict resolution;
- Training courses on all aspects of constructive conflict resolution;
- Assistance to social landlords in the provision of quality, accredited conflict resolution services to their public;
- Assistance with the introduction and maintenance of rigorous standards of service delivery in the areas of neighbour mediation and neighbourhood conflict resolution;
- Design and delivery of good neighbour initiatives in conjunction with Scottish local authorities and housing associations;
- Publications and promotional materials on community mediation in Scotland.

## Scottish Community Mediation Centre

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Sacro is a registered Scottish charity No. SC016293.

