

Third Sector Project Report

I FELT TOTALLY SUPPORTED BY OUR MEDIATOR AND FOUND THE STRUCTURE OF THE APPOINTMENTS TO BE IDEAL

5 years on:



45
volunteers

THE MEDIATION GAVE US THE SPACE TO TALK THROUGH AND REFLECT ON OUR DIFFICULTIES WHEN WORKING TOGETHER AND I WOULD RECOMMEND IT TO OTHER MANAGERS WHO ARE STRUGGLING TO DEAL WITH SIMILAR ISSUES

WHEN IT CAME TO OUR TWO JOINT MEETINGS I FELT THAT IT WAS SAFE TO DISCUSS HOW I FELT, WHAT THE IMPACT OF THE BEHAVIOUR HAD BEEN FOR ME AND HOW I WOULD LIKE TO RESOLVE THE SITUATION

In 2019-20:



+15%
helpline
calls



+27%
mediations

THE INTERVENTION OF MEDIATION PREVENTED THE SITUATION FROM BECOMING IRREPARABLE AND I WOULD HIGHLY RECOMMEND THIS SERVICE

I THOUGHT IT WAS REALLY USEFUL TO HAVE AN INDEPENDENT PERSON TO HEAR BOTH SIDES OF THE ISSUE. THIS HELPED US TO SEE EACH OTHER'S POINT OF VIEW

Over 5 years:



85%
of disputes
resolved



183
calls



57
mediations

I WAS VERY SATISFIED WITH THE PROCESS AND OUTCOME OF THE MEDIATION WHICH HAS ENABLED US TO BUILD A MORE POSITIVE RELATIONSHIP AND AVOID FURTHER LEGAL ACTION

October 2015
to March 2020

Third Sector Project Report

October 2015 - March 2020

Background to the Third Sector

The “third sector “ includes voluntary and community organisations (both registered charities and other organisations such as associations, self-help groups and community groups) social enterprises, mutuals and co-operatives.

The Scottish Government is committed to the development of an enterprising third sector in Scotland as the third sector makes a direct impact on the growth of Scotland’s economy, the wellbeing of its citizens and the improvement of its public services

Approximately 30% of Scotland’s population are involved in some way with the sector.- either as employees, volunteers or board members.

There are over 40,000 third sector organisations in Scotland with a great variation in size. The largest 4% of organisations have an income of over £1m, employing 73% of sector staff and having 80% of the sector income. The vast majority of organisations are therefore relatively small, heavily dependent upon volunteers and with restricted funding.

Need for mediation

Third sector organisations are likely to have the same issues as any other but there is the additional complication of the differences and dynamics between employees (often on a variety of different contracts), trustees/boards/committees and volunteers. Currently many third sector organisations are being encouraged to work in partnership often with organisations with whom they have been (and may still be) in competition for funding. Together with bringing together differing values, cultures and aims this can be a source of dispute.

Scottish Mediation Third Sector Project

Launched on 1 October 2015 in partnership with SCVO, the Third Sector Mediation Project aims to raise awareness of mediation in the sector and provide free or low cost mediation to small charities and voluntary organisations who otherwise are likely to consider mediation as too expensive.

The project offers free or reduced rates depending on the income level of the third sector organisation. The largest organisations are offered the standard Scottish Mediation Helpline rate but still benefit from advice and support tailored to the Third Sector.

Most mediations are completed within one day but any extensions are agreed directly with the mediator.

Income up to £50,000 (70% of organisations)	Pro-bono - 1 day
Income between £50,000 and £250,000 (20% of organisations)	£300 - 1 day’s mediation
Income over £250,000 (10% of organisations)	£100 per hour

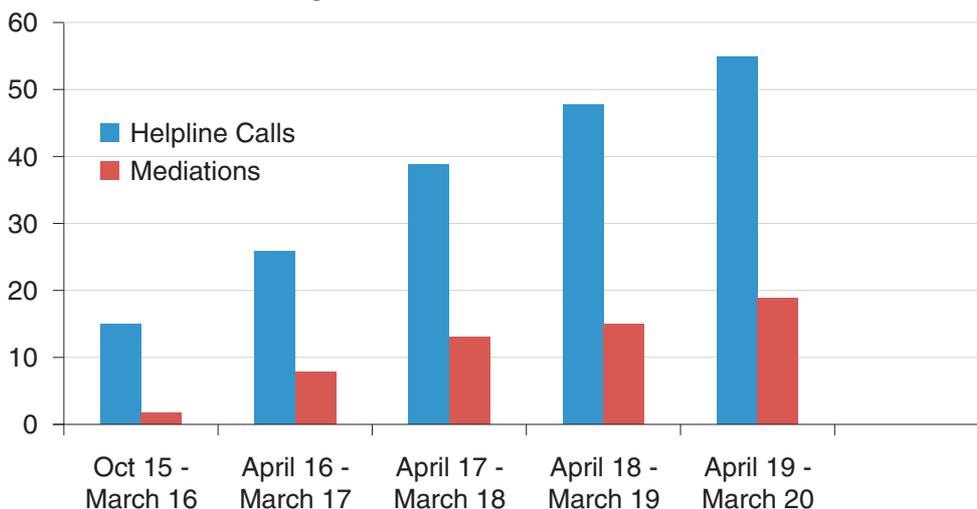
Mediation is accessed through the Scottish Mediation Helpline. Initial advice and information is provided and once all parties have agreed to mediation a mediator is appointed from the Scottish Mediation Third Sector Panel. This comprises fully qualified mediators with an interest in the third sector. Currently there are 45 volunteer practitioners including 36 from the Scottish Mediation Register and 9 from the Department of Work and Pensions and Scottish Power under their community engagement programmes.

In order to assist newly qualified mediators to build up the necessary experience to join the register, the project offers Scottish Mediation members in this situation the opportunity to volunteer as a co-mediator in Third Sector cases. We currently have six volunteers on the project's Co-mediation Panel.

Performance

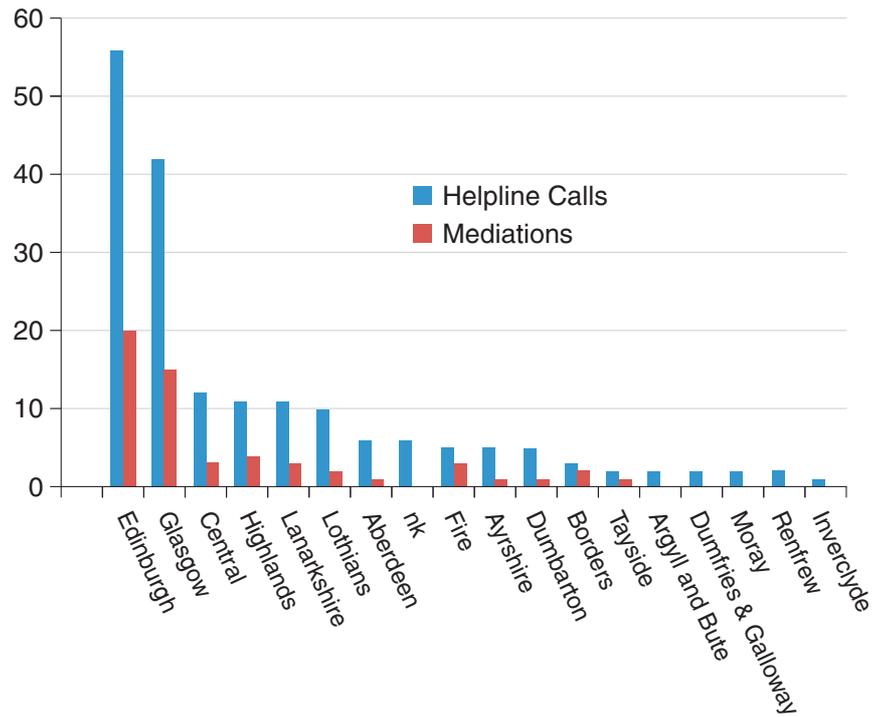
Since the start of the project there have been 183 Third Sector Helpline calls resulting in 57 mediations. The number of Third Sector Helpline calls and subsequent mediations have been increasing steadily. The latest figures show a year on year increase of 15% for Helpline calls and 27% for mediations. All Helpline calls are followed up and the reason for not progressing to mediation is usually a reluctance of one party to participate. However in many cases the Helpline discussion and information provided on mediation have encouraged the parties and their organisations to reflect on the situation, communicate more effectively and resolve the issues themselves.

Helpline Calls and Mediations



Locations

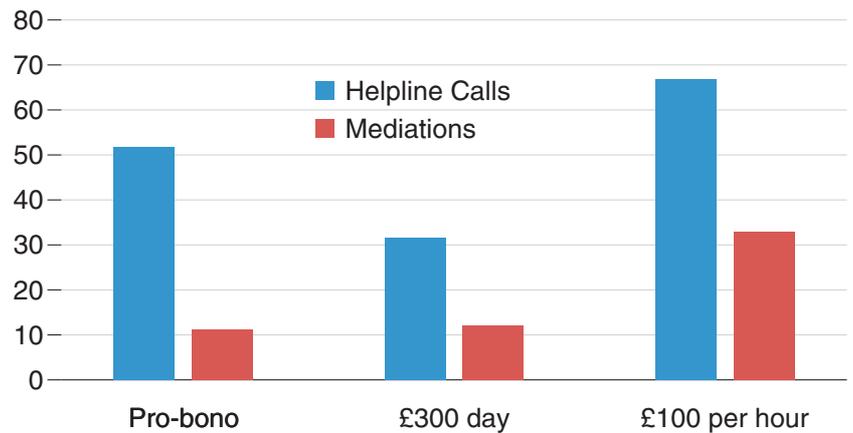
Since the start of the project there have been calls from all over Scotland although the majority are around the central belt.



Size of organisation

There is a spread across all sizes of mediations although weighted towards the larger organisations. This is not surprising as they will usually have dedicated HR resource and are more likely to be aware of workplace mediation as an aid to dispute resolution.

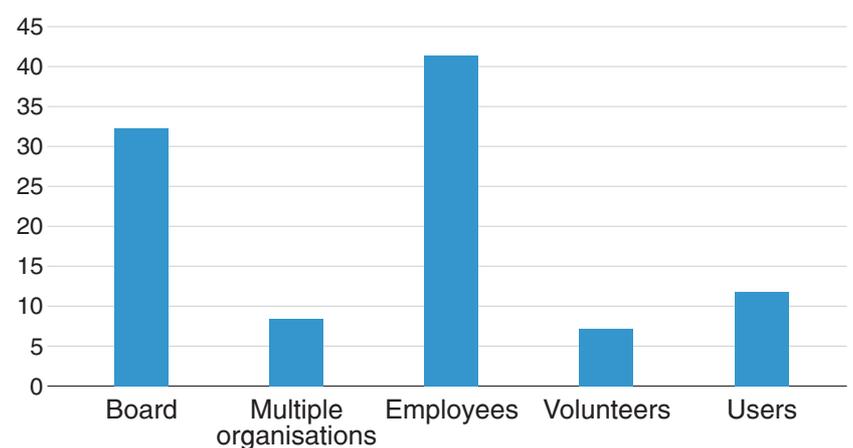
% Level of Helpline Calls and Mediations

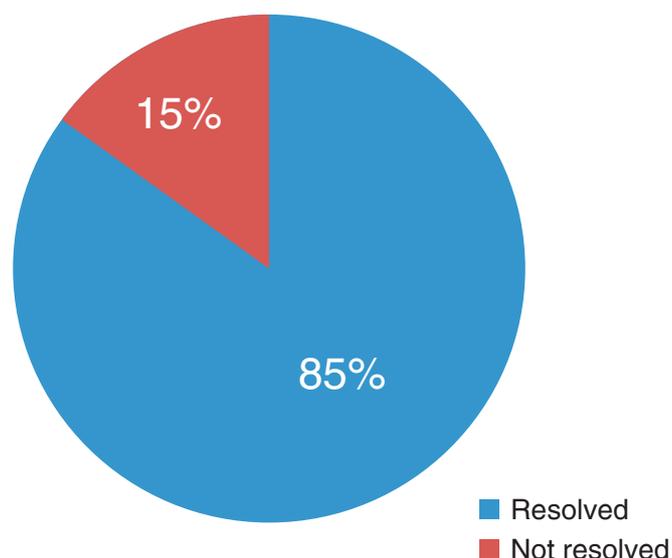


Involvement in Disputes

The Helpline calls relate to a wide variety of disputes with around a third involving issues either with or within the board. Most cases involve employees, this may be because of the size of the organisations or because volunteers are more likely to just leave if unhappy with a situation. There is a growing trend to use mediations to resolve disputes between organisations that are finding it difficult to work in partnership and also to assist with complaints by clients or users.

% Involvement in Helpline Calls





Outcomes

85% of mediations result in a successful outcome and agreement. This is encouraging especially as mediation is very often used as a last resort when positions have become intractable and everything else has been tried.

Promotion of the Third Sector Mediation Project.

The project is promoted through Scottish Mediation's website, Facebook and Twitter but the most successful methods have proved to be through umbrella organisations and intermediaries and by face to face contact. There are over 40,000 third sector organisations in Scotland and it would be impossible to reach all of them individually. Our strategy therefore has been to work with the major intermediaries and attend as many appropriate conferences as we can.

We have worked closely with the following organisations and have provided mediation awareness sessions and workshops to their employees who deal with queries and information and blogs for their websites and social media.

- SCVO
- ACOSVO
- OSCR
- Inspiring Scotland
- Third Sector Interfaces
- Health and Social Care Alliance
- P4P

In addition to attending The Gathering and other conferences with both information stands and workshops we attend most of the OSCR Meet the Regulator events throughout Scotland.

Managing Relationships in the Third Sector Workshops

We provide a three hour workshop which explores conflict management from a mediating perspective. This not only assists participants to deal with conflict more effectively but also gives them a better understanding of how mediation can help and how to access it. The workshops have been taken up by several Third Sector Interfaces (TSIs) and the feedback has been overwhelmingly positive.

- *"Thanks so much for the entertaining approach to training. I very much enjoyed the session and you've given me lots of food for thought."*
- *"I now have a much better understanding of how conflict might start so hopefully I'll be able to prevent it in the professional and personal capacity."*
- *"Very informative with application across a variety of areas."*
- *"The range of tools and tips was exceptionally useful."*

Recognition

The project was Highly Commended at the UK National Mediation Awards.

Next Steps

Covid 19 has prevented attendance at conferences and meetings but the Helpline continues to give advice and mediations have continued using telephone and vide-conferencing. This is proving to be very successful and may offer a useful alternative in the longer term.

We are currently developing an online workshop which may be useful not only during Covid 19 but also as an option in areas where travel and availability would otherwise be restrictive.

We have been in touch with all the major intermediaries to advise them of the New Covid 19 service and have provided blogs and articles for their websites and social media.

Further information

If you have any queries or would like more information please contact:

May Millward
Project Officer
may@scottishmediation.org.uk
0131 556 1221