

# AdaptConsultingCompany

Consult CoCreate Deliver

**Mediation promotes listening and understanding. It encourages a mutual solution focus, and therefore repairs and rebuilds collaboration, communication and trust and will deliver better outcomes.**



## What is mediation?

Business Mediation is an effective method for conflict resolution. It is successful between around 80% of the time. Parties discuss their disputes facilitated by an impartial third person(s) who supports them reaching a mutually agreed outcome.

It can be better than alternatives including court litigation, arbitration or ombudsman decision because is inherently less adversarial, less expensive, and less stressful and confidential allowing for a flexible process which may help to preserve relationships.

People are far more likely to stick to an agreement reached in mediation because people place a high value and greater ownership in outcomes they shared in creating

## Why is mediation worthwhile?

The problem with arguing is that it seldom resolves the problem and legal action may win a battle, but ultimately distract, disrupt and damage the relationships, undermining any future work together.

Any loss of confidence and trust is likely to be damaging to people and the delivery of projects, products and performance.

Mediation promotes listening and understanding. It encourages a mutual solution focus, and therefore repairs and rebuilds collaboration, communication and trust.

Success in Mediation will often improve relationships, support agreement and deliver better results.

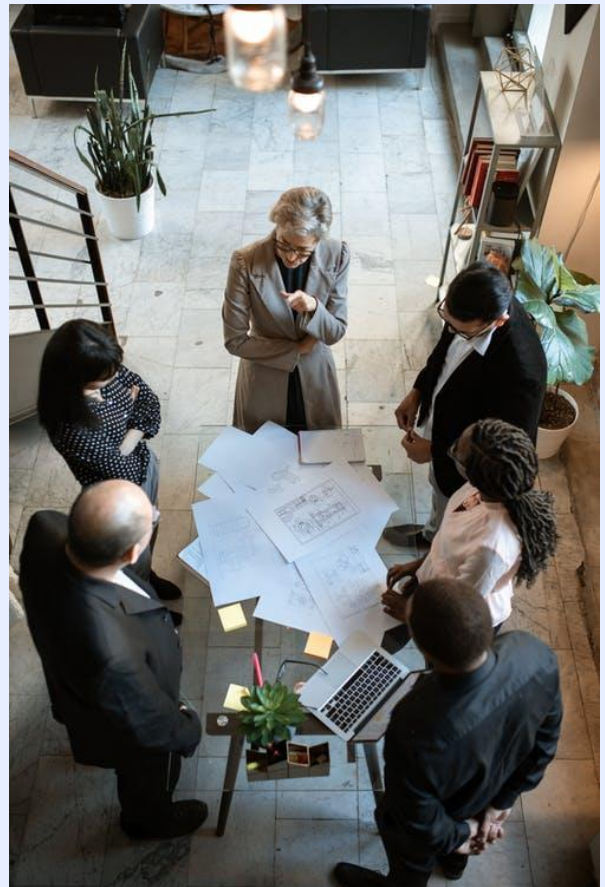
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## A Commercial Project Case Study

A client is unable to clearly define and document their requirements but expects that the supplier will provide a standard product that satisfies all their needs. The supplier provides services for many clients and markets and they all vary depending on country, currency, customers. They expect the client to be able to decide quickly and clearly the exact specification and configuration they require.

As time progresses costs escalate and discussion continues and frustration builds because time, money, and effort is being consumed but outputs and outcomes are behind schedule, ahead of costs and short of expectations.

The client sees their project, product or performance at risk and the supplier sees their profit margin erode and resources tied-up far longer than expected compromising other customers and contracts.



Both parties experience considerable stress upon their people and compromise to plans and operations.

### So what can a mediator do to help?

There are four primary styles that are used by mediators today: Facilitative (does not give advice), Evaluative (making recommendations or providing opinions), Transformative (seeks to empower each of the parties in order to transform the relationship) and Narrative (to merge their experience into a new shared story with a better outcome)



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## How does this work?

The process can go as quickly as the parties wish because they are the people who decide what needs to be discussed, decided and documented on the way to agreement. There is no waiting for court dates or other delay, disruption or distraction.

Success comes from managing the feeling and the thinking environment.

- There are five domains to consider for Feeling Environment: status, certainty, autonomy, relatedness, and fairness. Certainty concerns being able to predict the future. Autonomy provides a sense of control over events. Relatedness is a sense of safety with others.
- The ten behaviours that generate Thinking Environment are: Attention, Equality, Ease, Appreciation, Encouragement, Feelings, Information, Diversity, Incisive Questions, Place.

In the event of an unsuccessful mediation, the parties can still go to court or arbitration. However, in this event, they do so being better prepared, having focused upon the real issues in dispute between them.

## About your mediator

An experienced Management Consultant and Project Manager, used to working with people and teams in complex legal, regulatory, and technical environments.

- Management Consultant MBA
- PostGrad International Compliance Association
- PostGrad EC Competition Law
- APMG Change Practitioner
- PRINCE2 Project Manager
- Data Protection Officer (GDPR Practitioner)
- International Coaching Federation ICF Trained Coach
- IoD UK Business Mentor
- Chartered Management Institute Tutor for Level 3, 5 & 7
- Experienced team and change facilitator

## Contact

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