

Let's Listen Let's Talk

January 2025

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Welcome to our January 2025 newsletter!

It's great to start the year with another fantastic edition of our newsletter. After a challenging 2024 for our service we begin this year with real optimism. We said in the last newsletter that we had applied for a grant and I am pleased to say we were successful. Croydon Relief in Need has awarded us funds to develop some community workshops in a local area, as well as providing funds to enable our core mediation service to be maintained this year. We are enormously grateful for this support.

Another excellent opportunity, that our trustee Dave Simmons has facilitated, is to provide our accredited mediation training to Tpas, England's leading tenant engagement experts. The first course is planned and we hope this will be the beginning of a long term partnership.

Turning to this edition's content; I am pleased that our spotlight section is on Fiona our case manager who has been a wonderful support to us all through the recent challenges.

As ever we have a great interview with a high profile mediator, Dr. Clare Fowler packed as ever with practical tips.

So there is much to celebrate and I want to again pay a huge vote of thanks to all our mediators and trustees for their great work. Thank you as well to you for supporting our newsletter.

As ever if you would like to get in touch, meet for a coffee or if you have ideas about improving the service, my contact details are:

neiselby23@gmail.com or 07905 168285

I look forward to hearing from you soon

Neil



Interview with a Mediator

Dr. Clare Fowler - Executive Vice-President of ODR.com - International Woman of Peace Award, 2024
Author of *Rising Above Office Conflict: the light-hearted guide for the heavy-hearted employee*
Dr. Clare Fowler received her Doctorate on designing dispute resolution systems for small businesses from Pepperdine University Graduate School of Education/Organizational Leadership and her Master's of Dispute Resolution from the Straus Institute for Dispute Resolution at the Pepperdine University School of Law. Dr. Fowler also works as Managing Editor and with Caseload Manager at Mediate.com. She teaches at Pepperdine Dispute Resolution Department and University of Oregon. Clare mediates and trains, focusing on workplace disputes. Dr. Fowler's dissertation was a phenomenological study of Workplace disputes. Her 2023 book, *Rising Above Office Conflict*, is a guidebook for HR directors dealing with high conflict behaviors.

Dr Clare Fowler

How do you encourage clients to engage in the mediation process and to attend joint meetings when they are reluctant to do so?

I have found that the majority of clients take their lead from the mediator. If the mediator normalizes a joint session and takes the fear out of it, then clients often trust the mediator. If they are still concerned, then we discuss their concerns. They might need to develop a sign to me that they need to take a break. If clients are reluctant to engage, we need to find out why. Maybe they were forced, or they feel like they were not adequately consulted before beginning this process. Then we need to ask them what their goals are and if mediation can help them reach those goals to improve buy-in.



Can you share any advice on how to successfully conduct a shuttle mediation meeting?

The more I can develop rapport with both sides the more effective we can be. We develop rapport first by being trustworthy. What this means is that I never leave the individual conversation without a thorough review of what can be shared and what can be kept confidential. The next way to develop rapport is by continuing to revisit their individual goals. Those might change as they receive clarity, they might have veered off-course, or they might be getting discouraged and they need a reminder of why they are doing this. The other piece that helps with shuttle diplomacy is by allowing this portion to happen off-line. If one side has to wait in a physical location for more than 15 minutes I feel that I am wasting their time. So I would rather set-up individual conversations on-line so that the waiting party can do other work while they are waiting.

If clients are reluctant to engage, we need to find out why

Are there any key mediation skills that you had to work harder on and how did you go about improving?

I have become bolder over the years and this has made me more effective. I jump in earlier now when someone is being difficult or railroading the conversation. I also

trust my instinct immediately when I feel that someone is becoming anxious or escalated. I pause and describe what I see, or move them to a breakout room to have a private conversation. The final thing that I do is to continuously acknowledge how hard they are working and acknowledge the mental drain. This can be a difficult process and people need to realize it doesn't mean that they are doing anything wrong; it simply means that conflict can be hard, but working through it is worth it and we are there to guide them through it.

Can you share any advice as to how a mediator can self-evaluate their performance, learn and improve?

I strongly recommend co-mediation. Once a year ask a new mediator if they will comediate with you or volunteer at a community organization. It is fascinating how much the process and training changes every year. It is also interesting how new mediators are so well-versed in mental health and emotional awareness. They bring in new vocabulary and skills that I appreciate observing. I begin the mediation by asking them if they would provide feedback for me on ways that I can improve. And of course – continue to take trainings! Engage in webinars, attend conferences, join learning circles. The mediation process itself is timeless, but there are always new techniques that are worth learning.

Do have any tips on how to encourage parties to generate solutions?

Some of the basic tips are still effective: silence, BATNA, expand the pie, etc. Lately, I have been developing many online tools. The

more interactive and creative the process, then the more parties are engaged and feel that their feedback is important. I also strive to decrease anxiety, as this decreases creativity. Simple things like humor, or letting myself be silly, allows the parties to explore creative solutions.

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Have you ever found it challenging to maintain your impartiality during a mediation? How did you manage this?

Thank goodness, not often. For the most part, once people explain their interest then you can understand where they are coming from and why they behaved the way that they did. And I can understand their goals and help them achieve their goals. The few times where I have been biased is when one party is clearly being abusive toward the other. When I sense this in the process, I try to remove myself as much as possible from the mediation process. I encourage them to move through the process and speak to each other, to ensure that I am not allowing my bias to effect the outcome. I will often meet with both parties individually and encourage more effective

communication. But for deeply entrenched habits it is difficult to make those changes within a few hours. However, I can make it clear what behavior I will expect during our time together and what I will not tolerate.

Can you provide a specific example of when you have used one of the key mediator skills to good effect?

Empathy: Once I had a manager who was repeatedly dismissing and micromanaging her employee. As she described her behavior she vehemently denied that there was anything wrong with it. So then I retold her story, exactly as she had described it, but I replaced the employee's name with the manager's daughter's name. The manager was stunned, realizing that she would not allow someone that she cared about to be treated that way. It helped to open the door to develop more effective and supportive behavior.

Can you share any examples of where you used a breakout room to good effect?

Pretty much every mediation! Breakout rooms are so effective. I typically use these private conversations for two purposes: to clarify information and to discuss behavior. There might be confusion around information that I want to discuss privately, in case there is confidential information that can't be explored in front of the other party. I also discuss behavior. The person might be thundering and controlling the conversation without actually discussing the conflict. Or they might be turtling and hiding from the conflict. So I reflect the behavior that I am seeing and discuss how it will reach their end goals.

Do you have any phrases or questions that you commonly use in mediation to good effect?

Curiosity. I reinforce this during my opening. I let them know that my approach is curiosity, and I encourage them to listen as much as they can with curiosity. Also – I describe myself as omnipartial (thanks for the word, Ken Cloke!). This means that I fight equally hard for all of their interests. I can't see myself as impartial because I become too involved in their goals.

they might be turtling and hiding from the conflict

Can you provide any advice on how to best prepare for a joint meeting following the initial discussions with both parties?

I create an agenda to discuss and send it to the parties to review before we meet. I ask them to change anything that I have misunderstood. This helps to increase buy-in, and to remove any anxiety before the joint conversations begin.

How do you manage your own personal and professional development as a mediator?

Curiosity! This is such a magical field. The more I learn, the more I realize how much I still have left to learn. Think outside the box, go outside your field. Attend a psychology, or HR, or economics webinar. It can all apply to conflict, and learning from the best in different fields makes you more skilled at the work that you do.

Do you have any views on the use of visual tools e.g. flip charts, stress balls, hourglass timers during mediations?

Absolutely. I often use The Empathy Set, a set of cards with needs and interests on it. When parties are stuck, we pull out the cards and play conflict poker. For the touch love language and kinesthetic brains, this is a much more effective tool. I will often bring snacks, a white board, and fidgets to keep people engaged.

Are there any books, articles, Youtube videos etc that you would recommend to help us develop as mediators?

I'm pretty proud of my book, *Rising Above Office Conflict: the light-hearted guide for the heavy-hearted employee*. I spent ten years summarizing what I have learned from mediations and what interests drive different behaviors.

You can access the previous interviews through the following links:

- Gary Webber**
June 2022
- Laura Kirkpatrick**
September 2022
- Dr Mike Talbot**
December 2022
- Gerry O'Sullivan**
March 2023
- Emma McAndry**
July 2023
- Tara West**
October 2023
- Aled Davies**
December 2023
- Andrew Goodman**
May 2024
- Susanne Schuler**
November 2024

Spotlight on a Mediator

What is your Favourite Country?

I just love to travel full stop - Even better if it's somewhere warm and sunny

If you could time travel, where would you go?

I travel a couple of times a year to Australia to see my Daughter - I would love to not have to do that 24 hour flight !

What do you want to see before you die?

Going on Safari has long been on my bucket list - Happy to say I'm booked for later this year - The Big Cats and Elephants will be the high point for me I'm sure

Who do you admire?

Queen Elizabeth II - For showing true commitment to the role , whilst facing some very difficult family situations - She never wavered

Who or what would you take to a desert island?

Good music

Where would you most like to be?

Spending time with my Grandson (down under)

Why did you decide to start mediating?

During my many years in corporate, I saw too many workplace situations that were not handled well - Mostly managers avoiding difficult conversations - We spend a huge amount of time in the workplace, so I'm passionate about making it the best experience possible for the employees.

What's the luckiest thing that ever happened to you?

Years ago I had a really nasty fall down a very steep flight of steps, so I consider myself lucky to have survived it - and with no broken bones either.

Where's your next holiday to?

What's your favourite food or meal?



What's your favourite book?

The Time Travellers Wife

What was your favourite TV show when growing up?

I loved Basil Brush and Norman Wisdom — showing my age now

My role at Croydon Mediation

I joined Croydon Mediation 18 months ago as the Case Manager for all their mediation enquires - Initially I speak with the parties over the phone to ensure they understand what's involved in mediation and to gain some

understanding of the situation they are facing . At this point, many people are grateful to have someone listen to them, especially when they want to vent.

From our pool of volunteer mediators, I assign 2 of them to the case, and organise the relevant meetings - which we mostly carry out via Zoom, although we are able to accommodate face to face meetings as well.

The case is closely monitored until conclusion, with a follow up call from me approximately 4 - 6 weeks after the last meeting - Just to check in and see if things have improved.

I love the flexibility of the role, the variety, and supporting the mediators as they progress the case. As a mediator myself, I'm always delighted to see a positive outcome

In addition, I run my own mediation business (Azur Mediation Services)

and cover a broad spectrum including Workplace, Elder and Intergenerational Mediation, as well as Civil and Commercial cases and Conflict Coaching.

As a Sagittarius, I'm an eternal learner, and have loved adding new aspects to my business and seeing it grow. Having spent 35 years working for large corporates, gaining valuable experience, its wonderful now to be my own boss and balance my time doing the thing I love the most - Helping People :-)

Training



We are delighted to announce that we have teamed up with Tpas (Tenant Engagement Experts) to offer social housing landlords the opportunity to train residents as accredited mediators.

The 6-day course will be held at West Wickham & Shirley Baptist Church, Wickham Road, Croydon CR0 3EH and will be spread over four weeks on the following dates:

- Monday 28 April 2025
- Wednesday 30 April 2025
- Wednesday 7 May 2025
- Monday 12 May 2025
- Wednesday 14 May 2025
- Monday 19 May 2025

The price is:

£1200 + VAT per delegate for Tpas Members

£1400 + VAT per delegate for non Tpas Members

Attendees will receive expert training from an experienced, accredited mediator and will gain an understanding of the skills required for effectively resolving disputes, such as:

- empathy
- reframing
- building rapport
- active listening
- summarising

The course will also cover conflict and how people's behaviour influences this, the structure of the mediation process and the role of mediation and the mediator in conflict resolution.

Further details about the course and how to sign up can be found here [Tpas :: Accredited Community Mediation Training](#).

If you have any queries please email our Chair, Neil Selby

neiselby23@gmail.com

