

Assessing the Impact of Neighbour Dispute Mediation

Brendan Donaghy, August 2011

Staff and volunteers at Mediation Yorkshire (MY) have always believed that they deliver an effective service. Now, having subjected their mediation service to an impact assessment designed by consultant John Gray, they feel they have the evidence to back up their belief. Service Manager Bridget Rowe-Sykes believes this is hugely important for MY: 'We took the decision to carry out an impact assessment for several reasons. Part of it was about seeking evidence for use in contract renewal processes and income generation. We wanted to be able to provide funders with something that showed the difference our service makes. We think we have that now'.



Mediation Yorkshire is a charitable, not for profit voluntary sector organisation, established 14 years ago. It works with neighbours, communities, workplaces, young people, families and schools, though the core of its work is made up of neighbour disputes. In 2010/11, it handled approximately 130 cases, referred mainly from housing bodies, but also from environmental services and Antisocial Behaviour Units. The service is provided free of charge to parties in dispute and delivered by trained volunteers who work in pairs. If part of the impact assessment was about demonstrating value for money to funders, an equally important part was about the customers of the service and the service's own mediators. Bridget explains: 'We also wanted to measure the outcomes and impact for the parties, to encourage them to engage with us. And of course we wanted the assessment for our own mediators, to show them the results of their work and to identify improvements to service delivery.'

MY started talking with consultant John Gray at the start of 2010. Sample selection and data gathering took place through March and April of that year and interviewing of the parties took place in April and May 2010. Twenty eight parties from twenty six cases took part in thirty minute prearranged interviews. The sample was selected from cases closed in the last 6–18 months and was comprised of a mixture of those cases which had gone to a joint meeting and those that did not.

There were perhaps four key findings which emerged from the impact assessment. These were as follows:

90% of the agreements made at joint meeting were still holding after six months. Of the twenty six cases which made up the sample, eighteen went to joint meeting and from these meetings emerged fifteen agreements. Eighteen parties from this sample reported that mediation had been wholly or partly responsible for the constructive changes in the situation. This confirmed for Mediation Yorkshire something that its mediators had already been aware of from experience, namely that a joint meeting is a major factor in getting an agreement and any agreement made at these meetings is likely to stick.

50% of parties reported wider changes in their lives since taking part in mediation. Improvements were seen in overall health, reduced levels of stress and general improved quality of life. Thirteen out of the twenty eight parties identified positive changes in their lives beyond the dispute itself. These included changes in their health and stress levels, quality of life and feelings about the other

party. Ten parties also suggested that they might do things differently in the future as a result of their experience with the mediation service.

65% of respondents felt that they were offered mediation late and that it should have been offered sooner. When asked if mediation came at the right time for them, nine out of the twenty eight parties said that the referral had come too late. A further nine out of twenty eight stated that mediation had come at the right time, but then went on to make comments which indicated that by the 'right' time, they meant when they were at their wits end as a result of the dispute. Mediation Yorkshire staff are of the opinion that this, in reality, is an indication that mediation arrived late in the day for these parties.

70% of respondents stated that they would prefer mediation as opposed to enforcement as a way of resolving future problems. The majority of those interviewed stated that they would prefer mediation to enforcement action if they found themselves in a similar situation again. They went on to say that they would want to see some form of enforcement action taken if mediation failed and the problem behaviour continued, but mediation was identified as their first choice of action. Strangely, this was the view even of those for whom mediation did not succeed in obtaining a resolution of their dispute.

Action Points

In some respects, the impact assessment confirmed for staff and volunteers what they already knew: the four key findings of the study came as no surprise to mediators who have been hearing similar sentiments expressed by customers for many years. The assessment has provided evidence to back up this knowledge, but Bridget Rowe-Sykes is in no doubt that the study has been a valuable exercise in other ways too: 'It has provided us with some very important action points. We need to communicate with our referring organisations, to help them get their cases to us much earlier. The lesson would seem to be that early referrals result in more joint meetings, which in turn lead to better agreements and an improved quality of life for the parties in dispute.'

The service has not been slow on acting on the findings of the assessment. In July 2010, staff and volunteers held a meeting with John Gray to consider what actions to take in order to improve the service they provide. Some of these improvements have already been implemented. These include the introduction of more regular feedback sessions with mediators, through supervision sessions and, more generally, through the service newsletter. The service has also made the reassurance of the parties in dispute a priority in its training. This is aimed at keeping disputants on board by keeping them informed and allaying any fears that might arise in the run up to a mediation meeting. It can be done by stepping up contact with the parties, through telephoning or texting, in the run up to the joint meeting.

The issue of joint mediation meetings will also feature largely in the future training of My mediators. Volunteers will be skilled up to promote the idea of a face to face meeting of the parties as part of a drive to improve the impact of mediation. As Bridget puts it: 'We are determined to increase the number of our cases, currently about 30%, which go to a joint meeting. We'd like to get this figure up, without resorting to a screening process to weed out unpromising or difficult cases. We think we can do it by using the results of the impact assessment to sell the benefits of a joint meeting to our

own mediators in the first instance. If they can see the long term benefits that flow from these meetings, they'll be better able to promote the idea on the doorstep. '

Bridget is also determined to take the results of the impact assessment beyond the walls of MY. She feels that there are important learnings for funders and referrers as well as for the mediators. 'We want to communicate to referrers the customers choices as articulated in the research. They told us that they wanted their disputes referred for mediation at an early stage and they told us that they preferred mediation to enforcement action. We also want to share with our partners the very positive outcomes of our work that this assessment has documented. Mediation is working and those who fund us or refer casesto us should know about it.'

If there are lessons for funders and referral agencies, Bridget believes, there may also be learning points to be had from a dialogue with other mediation services too. MY is keen to start a discussion of its impact assessment with other services, both those which have been through some sort of similar evaluation process and those which are thinking of doing so. If you wish to be part of this conversation, full contact details for MY can be found on their website at this link:

<http://www.mediationyorkshire.co.uk>