



Schools Conflict Resolution and Mediation

SCRAM Workshop

Analysing disputes Summarising & Reframing

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Overview



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- Mediation recap
- Q & A
- Analysing scenarios
- Micro skills
 - Summarising
 - Reframing
- Other

What is mediation?



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- ❑ Structured problem solving process
- ❑ Opportunity for parties to
 - Hear and be heard
 - Identify disputed issues
 - Develop options
 - Consider alternatives
 - Endeavour to reach agreement
- ❑ With the assistance of an even-handed facilitator

What is mediation [cont]



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□ The mediator

- **has no advisory nor determinative role in regard to the content nor the outcome of its resolution**
- **advises on and determine the process of mediation whereby resolution is attempted**

□ Mediation may be undertaken

- **voluntarily**
- **under a court order, or**
- **to meet the terms of a contract**

Conflict



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**Party A's
needs**

Domination

I'm OK

You're not OK

Mediation

I'm OK

You're OK

Compromise

I'll be OK if

You're OK

Submission/Avoid

I'm not OK

You're OK

Domination

I'm OK

You're not OK

Party B's needs

Mediation model: generic

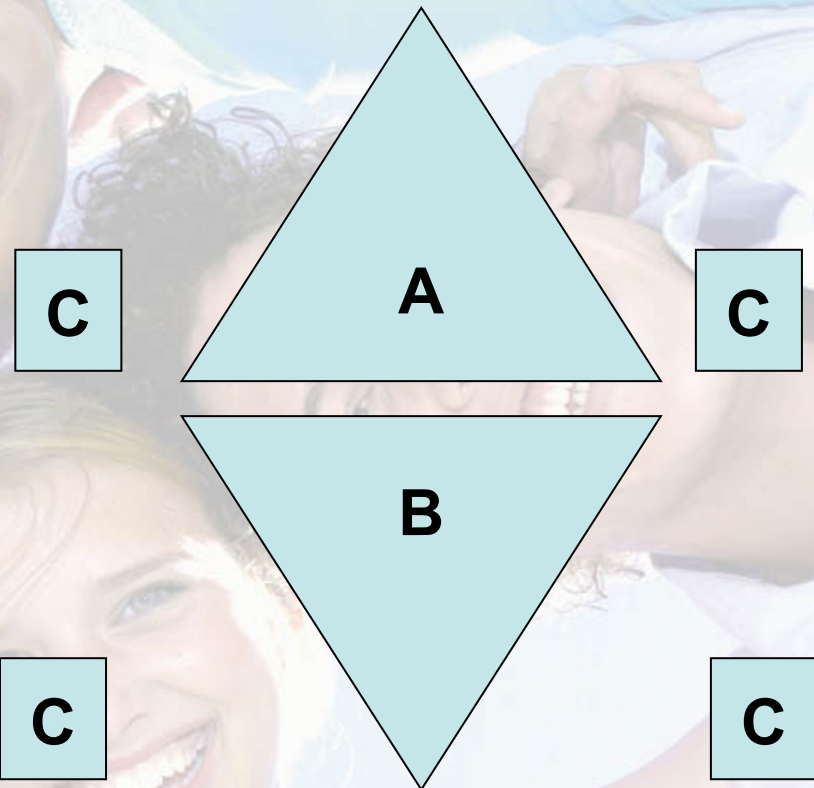


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A: issue identifying
past as context
individualistic

C: separate sessions

B: issue resolution
future focussed
cooperative

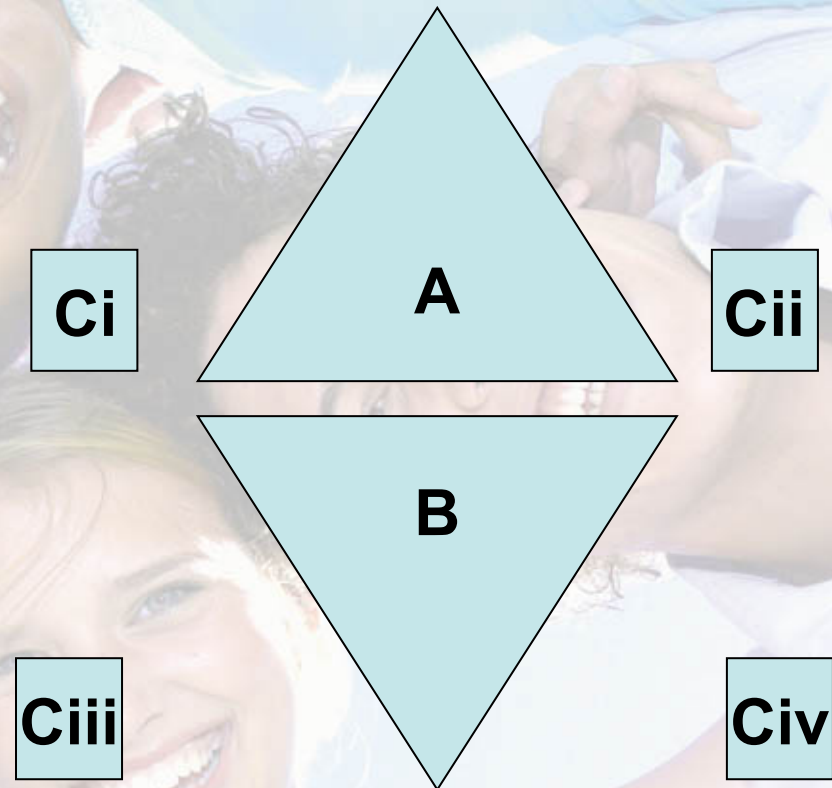


Mediation model: SCRAM



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1. Setting up
2. Problems outlined
3. Recall & key points
4. Dialogue
5. Separate sessions
6. Proposals
7. Resolution



Q & A



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- ❑ Construct initial Q as open Q
- ❑ Set Q in specific stage of the model

Analysing scenarios



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- Parties
- Constituents
- Positions
- Interests
- Power sources
- Rights
- Source of conflict
- Negotiating style
- Emotions
- Other facts
- ATNAs

Summarising



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Description

- Rephrasing & recapping what you hear to be the party's core concern from their point of view ie the frame of reference starts with the clients frame of reference and may shift to an observers frame of reference
- When in the model?
- Who summarises?

Summarising



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Purposes

- Check perception of what client has said
- Communicate empathy
- Gain information about client's perceptions
- Build trust
- Provide opportunity for other party to listen
- Maintain mediator neutrality
- Demonstrate listening
- Take stock
- Focus on 'big picture'
- Prioritise
- Focus

Summarising



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- Purposes [cont]
- Focus on the problem; not on the people
- Focus on interests; not on positions

Summarising



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How

- Tentatively
- Match the level of feeling
- Rephrase what is explicit
- Brief
- Direct
- Level tone

Summarising



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Issues

- Telling, informing, defining
- Advocating
- Adding, evaluating, interpreting
- Seeking to understand
- Conveying feelings

- Being wrong...

Reframing



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Description

- ❑ Tentative restatement in the form of a question of party's comment which shifts the statement from positional to principled constructs.

Reframing



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Purposes

- Stay on track of agreed process
- Save face for party, other party
- Model for parties
- Open possibilities to conceptualise situation differently
- Enable other parties to listen more easily; to suspend judgement
- Mutualise issues
- Normalise issues
- Be inclusive

Reframing



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Purposes [cont]

- Focus on the problem; not on the people
- Focus on interests; not on positions
- Set the scene for creative thinking

Reframing



Schools Conflict Resolution and Mediation

How

- Tentatively
- Match the level of feeling
- Rephrase what is explicit
- Brief
- Direct
- Level tone

Reframing



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Issues

- Communication blockers
- Minimise
- Deny
- Justify
- Blame
- Not feel heard
- Lost neutrality

Why don't people listen to each other?



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- Assume it is too time consuming for small benefits
- Belief that own view will be rated second
- Concern that willingness to listen will be mistaken for agreement
- Fear of getting too close
- Fear of information overload
- Concern about losing control

Summarising & Reframing



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- ❑ Demonstrate that you have listened ie that you have been
 - **Attending**
 - **Following**
 - **Reflecting**
- ❑ ...which
 - **validates the sense of self of the party without colluding**
 - **enables the party to speak assertively**
 - **maximises the chance of reaching agreements**