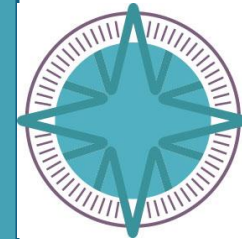


IOD Jersey

Prevention Pays: Reducing Tribunal and Reputational Risk

30 April 2026



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Mediator 2026

Timetable

- 12:30-12:35 Introduction by Lynn Cleary
(IoD Chair of People, Leadership & Strategy)
- 12:35-13:15 Presentation by Hilary Griffin, Workplace Consensus
- 13:15-13:30 Q&A

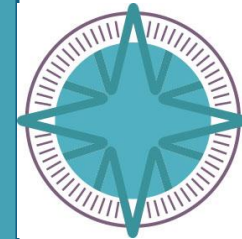


Main Presentation

Hilary Griffin

Mediator & Workplace Relations Specialist

30 April 2026



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Topics

- Where conflict really begins
- Early warning signs managers often miss
- Core behaviours that prevent escalation
- ACT EARLY: a practical early-intervention model
- What workplace mediation involves
- What mediation looks like in practice

2025: Increased Legal Exposure

Increase in Legal Exposure

- Compensation limits increased (up to £30,000 / 52 weeks' pay)
- Higher awards for discrimination and statutory breaches
- New Tribunal powers to uplift awards for employer conduct

Where that exposure comes from

- Issues escalating before managers act
- Inconsistent decision-making
- Poorly handled conversations
- Missed early warning signs
- Weak documentation
- Avoidance of difficult issues



People Risk = Business Risk



Operational Disruption

Managers lose 20–30% of time to conflict



Financial Cost

Time spent on managing conflict = money



Reputational Exposure

Publicity – internal and external



Productivity & Turnover

Unresolved conflict drains time, morale and capability



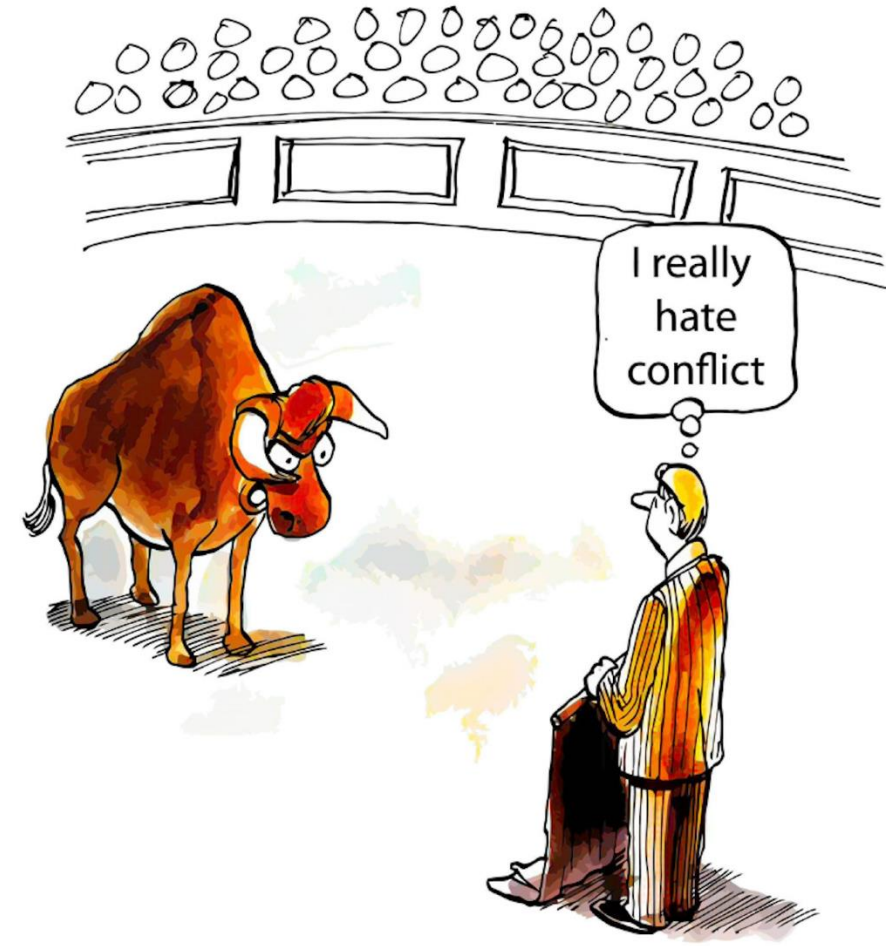
Leadership Accountability

Issues escalate long before HR/legal involvement



Sources of Conflict

- Misunderstandings and assumptions
- Unclear expectations
- Interpersonal friction
- Workload or pressure points
- Perceived unfairness or inconsistency
- Communication gaps



Cost of Conflict: The Business Impact

£28.5 Billion

£1,000 per employee

2.1 hours per week

Unresolved conflict drives:

- Management time drain
- Turnover & recruitment costs
- Reduced productivity
- Absence and disengagement
- Legal spend
- Reputational impact

Jersey Statistics 2025

JACS received total of **203** tribunal claims

100 (49%) of those claims related to discrimination

Of which **63 (63%)** related to disability
– primarily mental health



Managers: Critical to Risk Control

Manager capability is the strongest predictor of people-risk outcomes

- Early intervention
- Confident conversations
- Consistent decision-making
- Preventing escalation

Managers impact employee well being more than doctors or therapists
(UKG's Workforce Institute Survey 2023)

Core Management Behaviours that Reduce People Risk



Being present and available



Showing interest in people's day-to-day experience



Creating psychological safety



Noticing early signals



Addressing issues promptly and fairly

Early Warning Signs



Behavioural signals

Withdrawal
Tone shifts
Avoidance patterns



Team signals

Friction
Reduced collaboration
Cliques forming



Organisational signals

Repeated informal issues
Absence patterns
Exit themes



Capability Gap

Low Capability = High Risk

- Issues avoided or delayed
- Difficult conversations mishandled
- Conflict escalates
- Formal processes increase
- Tribunal and reputational risk rises

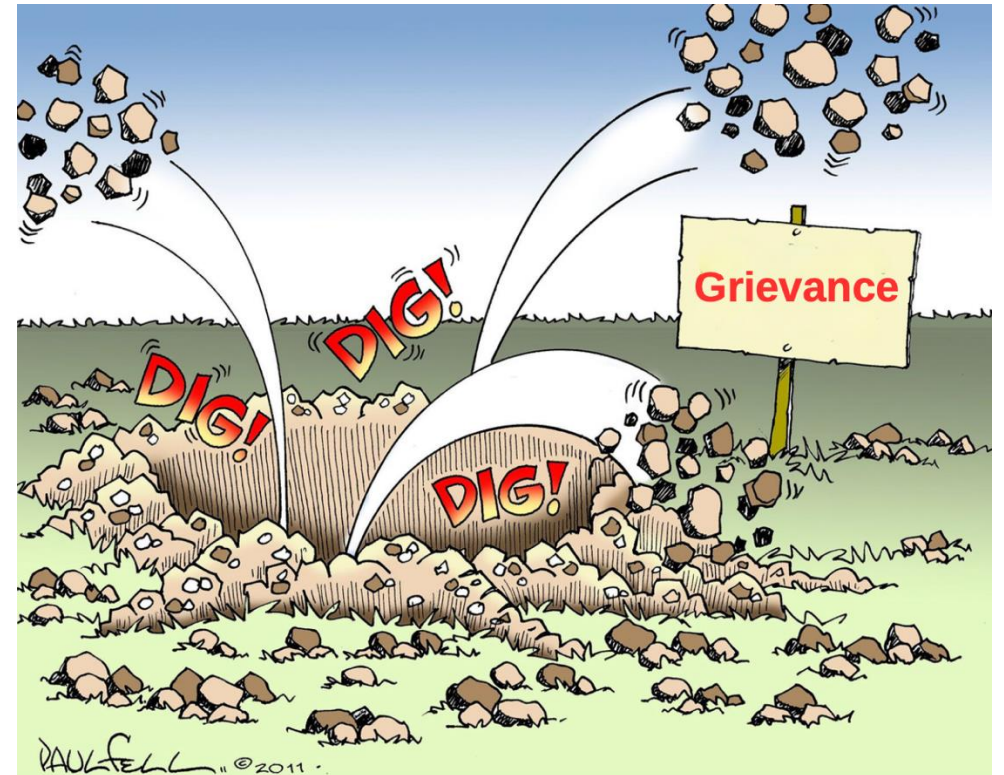
High Capability = Low Risk

- Issues addressed early
- Direct, constructive conversations
- Informal resolution
- Minimal escalation



Case Example: Missed Intervention

- Early Signals ignored
 - Concerns raised informally
 - No direct action taken
- Outcome
 - Formal grievance
 - Team disruption
 - Legal risk



Why Grievances Don't Resolve Conflict

Positions entrench

Focus shifts to blame

Lawyers become involved

Relationships breakdown

Grievances have a place - but they rarely repair relationships



ACT EARLY: The Core Skills of Early Intervention

ACT

A — Ask

C — Clarify

T — Take Ownership

EARLY

E — Engage

A — Assess

R — Respond

L — Learn

Y — Your role matters



How Mediation Supports Resolution

- Encourages constructive dialogue
- Helps parties understand each other's perspectives
- Creates space for practical solutions
- Supports relationships and team functioning

Mediation is an early-intervention tool not a last resort

What Workplace Mediation Involves

- Independent facilitator
- Confidential / without prejudice
- Voluntary participation
- Solution-focused approach
- Participants retain control of the outcome



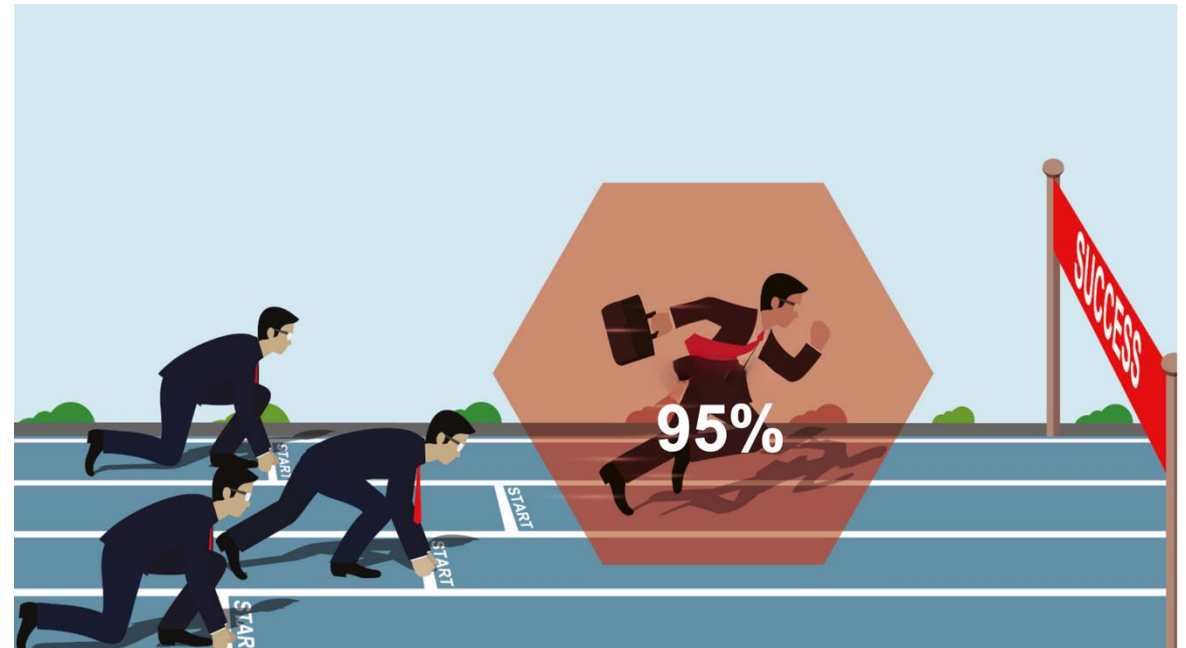
What Mediation Looks Like In Practice

- Confidential 1-2-1 meetings
- Facilitated joint conversations (if appropriate)
- Focus on understanding and impact
- Agreement on how to work together going forward
- Clear, practical commitments
- Optional follow-up to support stability



Mediation: The Impact

- ✓ Faster resolution
- ✓ Reduced disruption
- ✓ Lower cost
- ✓ Reputational protection
- ✓ Preserved relationships
- ✓ Better long-term outcomes



When Mediation Helps – And When it Doesn't

Useful When:

- Communication has broken down
- Tension is ongoing
- Trust is damaged
- Return-to-work relationships need support

Not Suitable When:

- Serious misconduct is alleged
- Forced or coerced
- Power imbalance cannot be managed
- Participant lacks capacity

Director Actions: Strengthening Early-Intervention Culture

- **Set** clear expectations for early, informal resolution
- **Equip** managers with practical early-intervention skills
- **Monitor** people-risk indicators
- **Encourage** consistent, fair handling of concerns
- **Ensure** mediation is considered early when relationships strain



Summary

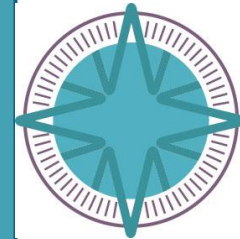
- Legal exposure is increasing - but the real risk starts much earlier
- People issues escalate long before formal processes or lawyers are involved
- Early, confident management intervention reduces cost, disruption and risk
- Mediation is a fast, cost-efficient way to stabilise relationships
- Strong leadership behaviours create healthier more resilient teams

Question & Answer Session

Hilary Griffin

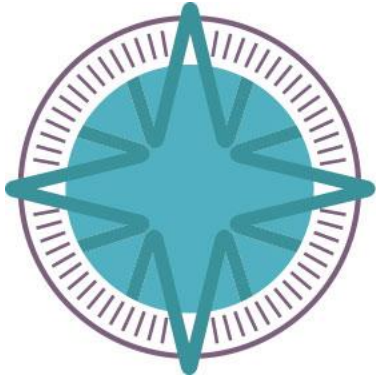
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Helping businesses avoid and resolve conflict before it becomes costly

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