

APPENDIX 4 ALTERNATIVE DISPUTE RESOLUTION METHODS

Mediation

Mediation seeks to rebuild and repair an employment relationship through an impartial and independent intermediary. This person could be a specialist ACAS mediator or an employee trained to act as a mediator. Mediation is informal and not usually legally binding. It's confidential and both parties enter into it voluntarily.

Conciliation

Conciliation operates in the same way as mediation, except it is used where a complaint about employment rights has been made to an employment tribunal. ACAS offers a free, independent and confidential conciliation service. ACAS can also conciliate where a claim could be made to a tribunal.

Arbitration

Arbitration is a little different from the other two in that the impartial third party is asked to make a decision on a dispute. The two sides present evidence to an arbitrator, who makes a decision that they have agreed in advance to abide by. In this way, it can be seen as a confidential alternative to a tribunal or court of law. As with the mediation and conciliation, arbitration is voluntary.