NELSON MANDELA UNIVERSITY

Transformation Office

Process Leading to Mediation at the Tranformation Office

Once the Enquiry Panel or Disciplinary Hearing Panel determines that a matter should proceed to mediation, the following steps are followed

1 Referral of the Dispute to a Mediator

The matter is formally referred to the mediator. The mediator collects preliminary information about the dispute, the parties involved, and the nature of the conflict.

This stage allows the mediator to assess whether the matter is suitable for mediation (e.g., voluntary participation, manageable power dynamics, appropriateness of mediation in the circumstances).

2 Contacting the Parties

The mediator determines whether the mediation will take place online or in person. Each party is contacted separately to: Explain the mediation process, Clarify roles and expectations, Confirm their willingness to participate.

The session is scheduled, and the time, venue, and any required documents or materials are confirmed.

3 Assessment of the Conflict

The mediator reviews the background of the conflict. This includes understanding the history of the matter, the issues in dispute, and any relevant documents.

4 Preparation of the Mediation Environment

The matter is formally referred to the mediator.

The mediator collects preliminary information about the dispute, the parties involved, and the nature of the conflict.

This stage allows the mediator to assess whether the matter is suitable for mediation (e.g., voluntary participation, manageable power dynamics, appropriateness of mediation in the circumstances).

5 Confidentiality

Mediation is not recorded because it is a private and confidential process.

All parties are reminded of the confidentiality requirements before mediation begins the circumstances.

6 Review by the Complainant

The final draft is first sent to the Complainant.

The Complainant is given an opportunity to review the document to ensure that the content and conditions reflect what was agreed during mediation.

7 Resolution Agreement

When the parties reach an agreement and the matter is resolved, a Resolution Agreement is drafted, setting out the conditions agreed to by all parties.

The mediator does not decide on the terms but guides the parties toward a reasonable and fair agreement.

The provisional agreement is sent to the Director of the Transformation Office for review and sign-off.

8 Review by the Respondent

Once the Complainant signs off, the agreement is sent to the Respondent, who follows the same review and confirmation process.

9 Mediator Sign-Off

After both parties have approved the agreement, the signed copy is returned to the mediator for final sign-off.

10 Filing and Record-Keeping

The completed, fully signed Resolution Agreement is sent to the Case Coordinator and the Administrative Coordinator for filing and safekeeping in accordance with institutional procedures.

SCAN THE QR CODE TO VISIT THE TRANSFORMATION OFFICE WEBSITE