

## Stakeholder Scheme Mediation Map

### Step-by-step process guide

The Stakeholder Scheme Mediation Map illustrates the process for mediation, from the point at which Second Sight submit the first draft of the report, to cases being closed. The map outlines which steps the different stakeholders are responsible for.

This document:

- Outlines each step of the mediation map, broken down into the party responsible, a description of the step and timescale as appropriate
- Defines the terminology used throughout

### Mediation Steps

Party	Step	Description	Timescale
Second Sight	Submit report & recommendation	SS send their report to the Applicant / Advisor and to the Post Office (via Huddle)	
Applicant / Advisor and PO	Review report	The Applicant / Advisor and the Post Office (Panel) review the draft SS report and write and submit (to SS) a reply statement if appropriate; SS only alter the draft report to amend factual errors. The replies are added to the report as appendices.	Days 0-10
Working Group	Review report	Five day standstill across all parties – Working Group review report	Days 10-15
SS / Post Office / Working Group	Recommendation / Agree / Don't agree	If SS and PO agree on the mediation decision of a case (whether it should go to mediation or not) then the Working Group automatically approves that decision; is SS and PO do not agree, then a mediation decision is made at a	TBC – are the WG going to have exceptional meetings to decide on cases, or will they stack them up for their regular monthly meetings?

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Stakeholder Scheme Mediation Map

		face-to-face meeting	
Working Group	Case approved for mediation: No	If the WG agrees that a case is not suitable for mediation, they communicate that decision and the reasons for it to the Applicant and the case is closed	
Working Group	Case approved for mediation: yes	WG contact CEDR to notify that a case is going to mediation.	When WG notify CEDR that case is going to mediation, they will send a draft proforma doc for each case going to mediation, to include high-level details of case: whether it is an LIP, whether the case has been quantified and contact details of all parties.
Post Office	Case approved for mediation: yes	Post Office send 'funding update letter' to Applicant / Advisor	
CEDR	Request availability from parties		For three weeks hence
CEDR	CEDR nominates a mediator		Parties have 48 hours to object if they are unhappy with the choice
Mediator	Arranges logistics (date and room)	Venues are likely to be Bond Dickinson offices (CEDR and BD are liaising on this) – each venue will have 3 mediation rooms, soundproofing, parties not in one another's line of sight and out-of-hours opening and catering	
Mediator	Communicates logistics		
CEDR	Distribute mediation papers	<ul style="list-style-type: none"> <li>• Full report</li> <li>• Model Mediation Procedure (CEDR doc, tailored for this scheme)</li> <li>• WG letter (outlining 'rules' of mediation)</li> </ul>	No less than 2 weeks in advance of mediation

PO and Applicant / Advisor and Mediator (optional)	Mediation statement	PO and Applicant / Advisor submit a mediation position statement to the mediator (optional; can be shared confidentially only with the mediator or with all parties)	No less than 3 days before mediation
Mediator and Applicant / Advisor; Mediator and PO	Pre-mediation calls		No less than 3 days before mediation
<b>Mediation Session</b>			
Mediator and PO and Applicant / Advisor	Reach agreement: Yes	If the parties reach agreement at mediation, the scheme case is closed and the Working Group are informed	
Mediator and PO and Applicant / Advisor	Reach agreement: No Agree next steps: Yes	If the parties do not reach agreement at mediation, the mediator may feel that an agreement can still be reached beyond the day. In this case, if both parties are happy, discussion will remain open and an agreement will be sought. The WG will be informed and the case will be closed when an agreement has been reached or when it is accepted that an agreement will not be reached.	

**Mediation Terminology**

Full report	<p>The full report is distributed by CEDR to all parties no later than 2 weeks in advance of mediation.</p> <p>It includes:</p> <ul style="list-style-type: none"><li>• The Second Sight case report</li><li>• The Second Sight generic report</li><li>• The Post Office case report</li><li>• Replies (from Applicant and / or Post Office, gathered at the draft stage)</li><li>• Factfile</li></ul>
CEDR Model Mediation Procedure	<p>Produced by CEDR, this document includes information on:</p> <ul style="list-style-type: none"><li>• The principles of mediation</li><li>• The process for choosing the mediator</li><li>• Preparation for mediation</li><li>• Documentation</li><li>• The mediation session</li><li>• Confidentiality</li><li>• Conclusion of the mediation</li></ul> <p>CEDR are tailoring their generic Model Mediation Procedure to support this scheme.</p>
WG letter (distributed with the full report and the Model Mediation Procedure)	<p>This letter sets out logistics and rules</p>
Mediation Statement	<p>The Mediation Statement can be produced by both the Applicant / Advisor and the Post Office, and can be used as the summary / headline document to prioritise the most important issues. This is optional and can be shared confidentially only with the mediator or with all parties.</p>