

Mediator of the Year

# Cost-Effective Solutions to Disputes Affecting the Supply Chain

Strategic Management Partners (SMP) was established in 1990 as a niche management consultancy, advising public quoted and private owned organisations during periods of significant change. International support activities have been delivered across the EU, Asia, Africa, USA, and the Middle East. Managing director Clive Bonny CMC is a certified mediator and member of the Professional Mediators Association with a global reach.

Clive's background is in financial services and he has designed the SMP portfolio to meet client needs in line with significant changes in international economic, legal, technological and social environments. He is also certified to audit, register and protect Intellectual Property, and listed by UK Intellectual Property Office to resolve IP disputes.

Clive shares his view of the big picture, "global conflict is an increasing challenge in every-day life, exacerbated by cross-cultural mass population movement, easy access to the world-wide web and increasing demands on individuals with fewer resources. Conflict impacts every part of your organisation sustainability and dilutes business continuity. Disputes arise between shareholders, employees, suppliers and customers every day. Many escalate unnecessarily absorbing time and money. Too few business leaders and managers are professionally trained to prevent and manage disputes at work. Many do not understand the differences between mediation, conciliation and arbitration. Yet these are fundamental tools to reduce risk and cost."

Clive explains the key differences between the three out of court dispute resolution methods, "arbitration uses outsiders to make decisions for both parties, with legally binding outcomes even if one party disagrees. Conciliation involves third parties offering settlements often by phone, with less engagement and input from both parties. Mediation facilitates both parties in resolving their own issues with more engagement and consequently more opportunity of a sustainable settlement. This is why mediation is usually seen as the most effective route to agreement."

Mediators have varied skills and backgrounds and Clive highlights attributes which make a difference, "membership of the Professional Mediators Association confirms professional qualifications and provides a quality assurance framework for buyers. The PMA specifies core competences related to impartiality, confidentiality and collaborative behaviour. I have enhanced my own mediation skills by training in psychometrics and neuro-linguistic programming (NLP) which helps disputing parties understand how behavioural styles can be adapted to resolve personal differences. They improve Acuity - the awareness of people's behaviour and synthesis - the ability to respond quickly and appropriately. Identifying

and applying language pattern preferences accelerates empathy between parties and speeds up their resolution of disputes."

SMP's work in National Health Service Clinical Commissioning Groups led to an investment in Grassroots Suicide Prevention training. Their programme Safe Talk shows how to empathise and safely converse with those who experience extreme stress and inner conflict. Clive says, "enhanced awareness of Micro-Expressions improves skills to conduct sensitive conversations in high risk situations. This improves ability to respond to small but important changes in verbal and non-verbal behaviours. One in four people experience mental instability at work so identifying early warning signals is important."

"Work-place disputes can also be exacerbated by stress at home. People experiencing stress at home may not always share this with employers or work colleagues. However, it can often affect their motivation and productivity at work without colleagues being aware. Psychological training helps mediators diagnose such issues early on. In such circumstances, mediation can then be deferred to allow other causal issues to be resolved, saving time and costs for all parties.

The causes of workplace disputes include issues with poor psychological engagement and poor physical health of individuals. Absenteeism and under-performance at work often precedes grievances. UK absence averages over one week per person per year and costs up to 5% of profits. Clive sees motivation and engagement as key tools to reduce staff grievances. "We deliver training in stress management and occupational health, and promote staff engagement through nutritional wellbeing. Our associate business SlimRoastUK offers a range of botanical herbal health drinks direct to employers in over 50 countries."

The Chartered Institute of Personnel and Development reports the offer of fruit and drinks by employers to staff are in the top five motivators for psychological contracting and engagement. "Our herbal health drinks are in safe airtight powder sachets for easy shipping and long-life storage. They blend dozens of clinically proven nutritional supplements to boost energy and performance at work. Employers order online for direct delivery at half the cost of high street drinks."

Besides supporting corporates Clive has also worked with police, security, fraud prevention and government agencies. He is trained by the School of Government to assess individuals to Background Personnel Security Standards. "We occasionally encounter vexatious litigants in unfair dismissal disputes so extra safeguarding checks before mediation can be helpful."

Commenting on future developments in dispute management Clive refers to his joint venture with award winning Koru Architects who have designed PassivPod, an elliptical office design based on the science of Biophilia. Clive says, "poor environmental working conditions can trigger disputes. Our innovative Biophilic office design combines natural environmental surroundings to reduce physical stress whilst improving cognitive abilities and workplace performance by 15%. It's another new science improving wellness and engagement at work, reducing grievance disputes.

Clive summarises, "scientific advances in physical and mental wellbeing are important tools to accelerate dispute resolution. We are early adopters of these advanced psychological techniques to ensure our mediation service meets the highest professional standards. We are happy to email free briefing papers to employers on these innovative methods to reduce and prevent disputes."

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