



## Mediator – Carolyn Graham



An accredited (2002) and registered mediator with Centre for Effective Dispute Resolution (CEDR) and accredited (2003) community mediator with Hackney Community Mediation.

A CEDR Solve Mediator and on the mediation panels of ADRChambers, Association of Cambridge Mediators, Effective Dispute Solutions Limited (EDSL), workplace mediation specialists Consensio and Common Ground (formerly Tower Hamlets) Community Mediation.

With a background in the arts & entertainment sector Carolyn applies skills learnt at the sharp end of doing business and combines commercial instincts with an intuitive approach and natural people skills.

She works cross sector and has mediated a wide range of disputes especially employment and workplace (wrongful dismissal; racial discrimination; defamation of character; breach of confidentiality; relationship breakdown; bullying and harassment, capability & performance issues, RTW /sickness absence). Also general commercial (several in arts/media - publishing; TV; film; music industry, theatre); property; inheritance and partnership dispute; landlord/tenant and community.

Carolyn has conducted multi-party mediations, team disputes, telephone mediation and time limited mediation.

### Mediation Experience

Carolyn has experience in the following sectors:

- Business-to-Business
- Charities
- Commercial Contract
- Community
- Education
- Employment/Workplace
- Housing, Landlord/Tenant
- Media, Sports & Entertainment
- Partnership
- Public Sector (Government, local authority, Healthcare)

- Wills/Probate

### **Case Summaries – by sector/dispute type**

#### **Banking/Corporate Finance/Business-to-Business**

- Dispute between a US based company and a UK based executive recruitment agency regarding disputed levels of commission monies due on an ‘introduced’ candidate
- Dispute between two company directors and the outgoing Chairman regarding equity shares due on sale of company

#### **Charities**

- Team mediation between 19 staff from one department of a major UK charitable organization
- Mediation between two colleagues working for national charity, one returning from long term sick leave and where there had previously been allegations of bullying and issues of poor performance

#### **Commercial Contract**

- Dispute between decorating company and a homeowner claiming negligent damage to property
- Dispute between sports equipment manufacturer and PR consultancy regarding breach of contract/non delivery of services due
- 3 way dispute between a building construction company, a garage and a construction worker regarding non-payment and poor workmanship
- Mediation between legal firm and former client regarding non-payment for services rendered
- Breach of contract dispute between owner of video business and former chairman and finance director regarding latter’s entitlement to remuneration package/share of proceeds on sale of business
- Breach of contract dispute between hotelier and company responsible for refurbishment programme
- Dispute between PR consultancy and a film distribution company regarding non-payment of monies for services rendered
- Dispute between two property management companies regarding non-payment of rent, repairs and maintenance

#### **Community**

- Mediations involving noise, harassment, anti-social behaviour, pets, children, parking and disputes where cultural and generational differences contribute to the conflict.

#### **Education**

- Post grievance mediation between a University and a senior lecturer regarding allegations of unfair treatment under the disability discrimination act
- Mediation between two staff members in a primary school where complex personal relationships and issues originating outside of the workplace (including multiple criminal investigations and prosecutions and involving several other family members) had resulted in total relationship breakdown and mutual allegations of harassment within the workplace
- Team mediation between 12 University lecturers where relationships and trust had broken down
- Mediation between four colleagues working in a refugee student support unit within a University
- Mediation between a University Departmental Director and his deputy to help re-establish working relationship following unsuccessful grievance taken out by the latter against the former

### **Employment/Workplace**

- Pre-tribunal race discrimination claim by employee of international IT company
- Mediation between 2 remote team members of an International company: a senior manager based in Holland and a UK based direct line report over allegations of bullying and in order to help the line report reintegrate back into the workplace after stress related sickness absence
- Post ET claim by senior partner of international company for damages for wrongful dismissal
- Mediation between two staff members bringing mutual grievances against each other for breach of confidentiality, harassment and abuse of authority
- Mediation between non-executive CEO and her secretary to help reintegrate the secretary back to her original department after relationship breakdown and subsequent 6 month secondment to another department
- Mediation between joint CEO's of a theatre company where the relationship had broken down amidst highly emotional and mutual allegations of bullying and intimidation
- Mediation between manager and line report in NHS trust hospital regarding issues of performance management and allegations of failure to follow due management process

### **Housing, Landlord/Tenant**

- Dispute between UK landlord and former tenant, now resident in the US, regarding non-payment of rent
- Dispute between housing association and tenant regarding levels of compensation due following flood damage to property
- Dispute between landlord and tenant regarding a disputed rental over-payment
- Tenant/Landlord dispute with tenant seeking damages for disrepair and an order for remedial work

### **Media, Sports & Entertainment**

- Breach of contract co-production dispute between European TV company and UK film production company
- Copyright dispute between songwriter/record producer and a former band member claiming co-authorship of song (subsequently recorded by top selling artist) and entitlement to ensuing publishing and recording royalties
- Alleged breach of contract between actor and theatre company where the actor thought he'd been verbally offered an engagement but the theatre company, not
- Dispute regarding non-payment of royalties between author and famous TV personality and publishing company
- Dispute between PR consultancy and a film distribution company regarding non-payment of monies for services rendered

### **Partnership**

- Dispute between two partners and friends regarding division of assets on dissolution of partnership
- Dispute between two former partners regarding alleged breach of fiduciary duty and breach of intellectual copyright
- Dispute between two partners following the joint purchase, refurbishment and sale of a property

### **Public Sector**

- Breach of contract dispute between public sector funding body and regeneration consultancy
- Mediation between government department and former employee claiming compensation for alleged disclosure of confidential information
- Team mediation involving 10 GP's, recently amalgamated from 3 separate practices into one group practice
- Mediation between two colleagues in NHS trust hospital where relationship breakdown was seriously impacting on productivity of department and consequently, on financial stability and credibility of organisation

### **Wills/Probate**

- Mediation involving 9 family members regarding the mutual inheritance of a property abroad where some family members wished to retain the property as a family holiday home, some to run the property as a commercial concern, and some to sell
- Mediation between mother and daughter regarding disputed division of financial assets following the death of the husband/father.
- Mediation between twin brothers regarding disputed will of recently deceased mother

### **Personal Style and Feedback**

Carolyn is a calm and clear thinker who can quickly help parties get to the heart of an issue. A creative and pragmatic mediator, she combines a willingness to think 'outside of the box' with a common sense approach that encourages parties to reach realistic settlement on soundly commercial terms.

Clients value her friendly, straightforward style, highlighting her ability to build rapport, her calming influence when tensions are running high and her ability to keep proceedings constructive and focused on achieving resolution.

**Comments include:**

"I just wanted to say thank you from the bottom of my heart for providing the mediation and support last week, I cannot express to you enough how it has helped me" *client*

"the mediator was brilliant" *client*

"has good instincts about what matters and what is going on between teams and parties" *client*

"A very straight forward approach which never obscured the way ahead and left both parties able to decide on an acceptable resolution" *solicitor*

"As a means of finding common goals and moving forward, I cannot praise this process highly enough. It is amazing, it's not a case of winning or losing, it's a case of moving forward – something that I was previously unable to do" *client*

"built rapport very well" *client*

"she is very friendly but quite firm and is good at keeping everything right on track" *client*

"(the mediation)... was very well run and the mediator did a great deal to put us at our ease throughout the process. She achieved the right balance of control and flexibility to make us feel that we were working within a structure and yet still had enough control ourselves to take it in the direction we were comfortable to go. She also had a very calming influence on everyone there" *client*

"..dealt with the authority problems really well" *client*

"I was impressed by the ability of the mediator to grasp and summarise the essence (and the undertones) of what people were expressing" *client*

**Professional Background**

Carolyn worked for over 25 years in the Arts & Entertainment industry, working in both the commercial and not for profit sectors - including 10 years as Director at London's Southbank Centre - with the management of people, of contracts, of relationships and of finance central to all of her roles.

Areas of particular experience include budgeting and financial management (turnover £6million); organisational development and change management; union/employee

negotiations; internal/external stakeholder liaison and all aspects of staff management (including appraisal, training, disciplinary, recruitment, mentoring) and team building.

### **Other Dispute Resolution Experience**

As well as her mediation and facilitation work, Carolyn delivers a wide range of in-house and open access training, seminar and workshop activities in mediation, dispute resolution and conflict management. A passionate advocate for the greater use of mediation skills within the workplace, she is a regular speaker on the benefits of mediating conflict and is increasingly being invited to create bespoke mediation skills training programmes for specific sectors and professions.

She regularly chairs and facilitates meetings including board meetings, Away Days and AGMs and is especially adept at handling contentious meetings, helping organisations reach consensus in challenging circumstances and ensuring that meetings deliver tangible outcomes.

### **Organisations worked with include:**

Amnesty International; Arts Council England; At Work Partnership; British Transport Police; CAFOD (Catholic Agency for Overseas Development); Cambridge University; Camden Council; Central & North West London NHS Foundation Trust; Channel 4; Chelsea & Westminster NHS Trust; Comet; DCMS; Department for Work and Pensions; Dudley Group of Hospitals; English National Opera; Hammersmith NHS Trust; Independent Police Complaints Commission; Independent Theatre Council; Kingston University; Lloyds Banking Group; M.S. Society; Northumbria Healthcare NHS Trust; Office for National Statistics; Oxford Brookes University; Poole Arts Centre; Rank Gaming Group; Really Useful Group; Refugee Action; Royal Free Hospital; Society of London Theatres; Society of Medicine; Southbank Centre; Standard Life Investment; Theatrical Management Association; University of Wales Institute, Cardiff;

### **Skills and Interests**

Carolyn has a working knowledge of French ('A' level and London Chamber of Commerce & Industry 'Intermediate' level). She is a CIPD qualified facilitator and is CMI trained in designing and delivering training. Out of work interests include Arsenal, singing in the choir Eclectic Voices, food and drink and collecting jewellery.

### **Contact**

**To appoint this mediator please call +44 (0) 121 533 2793 or email [info@effectivedisputesolutions.co.uk](mailto:info@effectivedisputesolutions.co.uk)**