

CONFIDENTIALITY AGREEMENT

Confidentiality is central to the success of the mediation process. As such, all participants involved in mediation are asked to sign this standard agreement prior to mediation taking place.

The purpose of this agreement is to ensure that all participants are able to take part fully, openly and honestly during the mediation process.

I agree that:

1. Any information or documents received or developed during the mediation process will not be used for any purpose other than that for which it was intended i.e. resolving this conflict through mediation.
2. All information received by me during the mediation process is done so in the knowledge that it must remain confidential and will not be disclosed to any one else. However, documents which would in any event be disclosable at either Employment Tribunal or Court hearing will not become privileged by reason of having been referred to in the Mediation and will therefore still be disclosable.
3. All discussions during the mediation process are “without prejudice” and “privileged” which means that nothing that is said by anyone during the process may be put forward as evidence in any subsequent internal determination process, appeal, Employment Tribunal or Court action.

What you can expect from your Mediators:

That mediators will be unable to give evidence at Employment Tribunal or other formal or informal hearing/investigation, or make a statement at any time in the future, relating to any issues arising from or during the mediation process.

That all notes taken by mediators during the process act solely as aide memoirs for the mediators and only by mutual agreement will notes be retained on files. If not agreed, they will be destroyed at the end of the mediation process.

To enable the situation to be managed beyond mediation, by mutual agreement of the parties the person who referred the case may receive a copy of the final agreement. They will not receive feedback about any issues raised and/or discussed during mediation or any other factors that occurred during the day.

I confirm that I am in agreement with the above

Signed Date

Print Name