



<b>CEDR Accreditation:</b>	2018
<b>CEDR Panel:</b>	2018
<b>Languages:</b>	English
<b>Location:</b>	United Kingdom

## Malcolm Currie

***“I have known and worked with Malcolm over 15 years and have found him to be consistently professional, flexible and an individual who looks to find a positive solution.”***

### Overview

Malcolm’s proven acumen in industrial relations, and understanding of UK-wide employment law, gives him a broad base of knowledge from which to draw. With a background working with public, private and third sectors, in disciplines as diverse as science, conservation, heritage, arts, energy, engineering and health, he is consistently equal and fair for all parties. Whether mediating, investigating or advising, he approaches resolution of collective or individual issues and complex conflict cases in a straightforward and expert manner whilst encouraging and developing effective relationships based on understanding and trust.

Malcolm offers a range of dispute resolution approaches, including mediation, facilitated negotiation, investigation and strategic coaching. He thrives on influencing and working collaboratively to achieve the right solution for all parties. Skilled in lobbying and forging strong strategic partnerships, he is an advocate for all sides who delivers the development, refinement and implementation of long-term strategic frameworks, transformation programmes and improved organisational effectiveness.



## Professional Background

Malcolm draws on more than 25 years' experience in industrial relations, 11 of those as a professional trade union negotiator, before establishing his dispute resolution company, becoming a CEDR Associate and joining the CEDR Mediation Panel.

Through engaging with employers in private, public and third sectors, he developed his expertise in negotiation, management-staff partnership, resolving disputes and tackling individual cases. Consolidating these skills, he initially accredited as a mediator through Scottish Mediation, more recently retraining through CEDR. He now applies this knowledge as a Visiting Lecturer at Queen Margaret University, contributing to courses on Mediation and Negotiation and developing and delivering a postgraduate module on Collective Bargaining.

A member of the CEDR Mediation Skills Training Faculty, he also delivers training on Conciliation of Collective Labour Disputes for the International Labour Organisation.

## Expertise

- Workplace & Employment
- Sport
- Collective negotiation
- Community
- Partnership
- Science & Research

## Dispute Experience

### Workplace & Employment

Malcolm has substantial experience in a variety of workplace and employment environments, of which a few examples are laid out below.

- Heritage body – manager and managed were both international experts in their field, with expertise that abutted rather than overlapped. The manager perceived insubordination, the managed felt bullied. Through mediation they realised the cause of the friction, agreeing a plan to manage this, and returned to functional work.
- Scientific research institute – staff alleging bullying against their manager agreed appropriate ways to communicate and work as a team.
- Educational funding body – team of 4 (2 officers, 1 team leader, 1 manager) not working effectively. Mediation identified the problem as their HoD favouring a 5<sup>th</sup> team member, not fully informing the manager and undermining the officers. Mediation determined a strategy to provide appropriate evidence & support for the manager to address this with the Director, resulting in improved team cohesion, ownership of the problem, and the manager addressing their own developmental needs.
- International training project – complex management arrangements due to funding arrangements and partnership between several charities led to friction when one of the

team was promoted to lead. Mediated to resolve cultural and communication issues, re-establishing effective teamwork.

### **Collective Bargaining**

- Large charity – dispute between returning seasonal staff and the charity over continuity of service and accrual of employment rights. Facilitated negotiation towards new “part year permanent” contracts for those returning for a 3<sup>rd</sup> (or more) season, with full employment rights applying. The outcome had a potential redundancy cost and some pension costs, but meant that more people returned afterwards, so there were savings in training and development investment.
- Ministerial appointment to facilitate sectoral pay negotiations to minimise risk of industrial action.

### **Partnership**

- Airport Security team – approaching strike action over proposed shift changes that would increase hours with no increase in pay, while counter-proposals hadn't met operational needs. Through group mediation the parties co-created new shift rotas meeting operational needs with no cut in pay (for staff) or increased costs (for management).
- Energy supply company – issue in 2 teams, each on a 3-stage shift cycle – several interpersonal problems were identified, then mediated, through preliminary survey, more focused 1-2-1 work and group “development” sessions, leading to an agreed approach to individual disputes and greater team cohesion.
- Small charity – CEO having problems with friction between the Exec Directors impacting operationally. Through mediation, the Directors realised instructions from the CEO were often contradictory and counter-productive. They agreed an approach to communicating between them to ensure they were better informed and working towards the same goals. The CEO was delighted with the outcome, feeding back several months later, “I don't know what you did, but it worked as they're now working very well together”.
- Small business – dispute between directors over the nature of their business, reached agreement to separate elements to reflect each party's core interest while protecting their investment in each of the new businesses.

### **Sport**

- A dispute between 2 referees over appointments, then fairness of approach during a tournament, spilled into public disagreements. Mediation led to better mutual awareness of their loyalties, personal biases and how they were perceived and an agreement to be more open about real and perceived conflicts of interest.

- Facilitated discussions between organisers, sponsors and local politicians to reach agreement for a rugby tournament to proceed when cancellation was proposed due to late cancellation of permissions.

### **Community**

- Local community group, dispute amongst the Committee/Board – ran “Committee Development” session that led to them identifying personal issues between 3 individuals. These were mediated separately, resulting in agreement on how 2 would interact with the other leaving the Committee to take a development role. Then completed the “development” session with more focused action planning.
- Small charity – member complained about being excluded, other members complaining about their ‘intensity’ (due to PTSD on top of a learning difficulty and depression) – organisation had investigated and were minded to bar the excluded member. Outcome of the mediation was agreement for that member to focus on project work that was an opportunity to expand the interest of the charity, but to be supported in seeking funding for this.

### **Science & Research**

- Research institute – facilitated negotiations over redundancies and restructure, resulting in a closed funding gap, significantly fewer redundancies (all voluntary) with new business opportunities identified through consultations.
- Scientific research institute – through successive restructures, 2 senior researchers repeatedly leapfrogged each other leading to significant rivalry and friction between them. Mediation led to a proposal that leaders are assigned on a project by project basis, which was accepted by the Institute and successfully implemented.

## **Personal Style**

A clear, respectful communicator Malcolm works collaboratively, patiently and pragmatically to help parties resolve individual and collective issues. Having worked with Trade Unions for years he understands the need for clear and concise communication, whilst influencing and negotiating in an expert manner.

Calm, level-headed with strong listening skills, Malcolm has mediated, coached and mentored individuals, teams and organisations, whether to attain their personal goals or to work smarter and more effectively together. He is enthused and motivated by inspiring, empowering and developing others.

## Other Dispute Experience

For almost 12 years as Professional Negotiator, Malcolm led policy development and negotiations on terms, & conditions, health & safety, redundancies and restructures in organisations as diverse as multi-national engineering companies, energy generation/distribution companies, airlines, forestry and land management, scientific research institutes, heritage bodies and charities.

He founded Strathesk Resolutions to help develop more constructive and profitable relationships between employers and their people, offering:

- guidance and support to anticipate, resolve and, ideally, prevent industrial relations problems;
- mediated dispute resolution, both for collective disputes and to help with resolving more complex individual cases;
- training, coaching and mentoring in partnership working between company management and trade unions and/or staff councils;
- training & support in negotiation skills, as well as individual coaching/mentoring for those involved, and strategic guidance in relation to ongoing or upcoming negotiations

Working with CEDR, Malcolm has further developed his mediation and negotiation training, adding an international dimension.

Some examples of projects are:

- Investigated a complex situation in a large distribution company that had led to an individual being dismissed and related industrial action. Found failings from all parties with disproportionate impact on the individual. The outcome was the individual being offered a settlement, management changing their investigation processes and the union looking at representatives' development needs.
- Investigated alleged bullying culture at a large (1000+) engineering company, identifying the root problem and easing tensions between union and management, helping them to establish a constructive dialogue.
- Small engineering firm, found their premises compromised and couldn't afford the repair costs. Guided them through establishing effective staff consultation, leading to a proposed alternative business model and saving 50% of the redundancies. Then facilitated consultation over mitigation against redundancy, resulting in all other staff being redeployed with competitor companies. The 'phoenix' business now recruits easily due to their reputation of having looked after staff despite challenging circumstances.
- Heritage body – a pay & grading review was led by new Chief Operating Officer (from Financial Services Sector) who pushed hard for performance related progression. A fractious relationship developed, especially between one of the union negotiators and the Head of HR. Malcolm worked with one of the Directors, acting as an 'honest broker', to

jointly manage the process as a shuttle negotiation, ultimately securing an agreed settlement.

- Trained HR and senior managers in public, private and third sector companies in collective bargaining resulting in fewer disagreements and more constructive approach to resolving them.
- Coached a minerals extraction company through negotiations with landowners/managers resulting in agreement on timing and location access to land and agreement in principle that work could be developed further.
- Helped several organisations to develop management-staff partnerships, thereby working more closely and effectively, leading to many years of stability, with refresher training only needed due to staff changes.
- Confident communicator up to government and ministerial level; presented on public sector pay issues at Scottish Parliamentary committee.

