



Accreditation: 2003

Panel Admission: 2004

CEDR Faculty/Lead 2004/2013

Languages: English · Afrikaans

Location: United Kingdom

Felicity Steadman

“Her manner creates trust and confidence in her ability.”

Mediation Feedback

Overview

Felicity Steadman has been a mediator since 1989. In 2003, after fifteen years as a mediator and arbitrator in South Africa, she was trained and accredited by CEDR and is now an established member of CEDR Chambers. She mediates a wide variety of disputes, enjoying particularly employment and workplace matters. She travels extensively in her practice. She was appointed as a member of the Court of Appeal Panel of Mediators in 2013. She is also Head of the CEDR Mediator Training Faculty. Felicity is registered with the Civil Mediation Council CMC and certified by the International Mediation Institute IMI.

Professional Background

Felicity’s professional background is in industrial relations, and employment and labour law. She worked as an industrial relations advisor and negotiator for the Premier Group of

companies based in Johannesburg, and for the Institute for Industrial Relations and the Independent Mediation Service of South Africa. She has been a Director of Conflict Dynamics in South Africa since 1996. She has worked as an independent mediator for more than 30 years mediating a wide variety of disputes. She has worked as a facilitator of many large multi-party relationship building and transformation processes. Felicity has also acted as chair of many grievance hearings, disciplinary enquiries and appeals, and as an arbitrator in many of employment matters.

Expertise

- Agriculture
- Banking & Finance
- Charities
- Commercial Contracts
- Construction
- Engineering
- Education
- Employment & Workplace
- Healthcare & Pharmaceuticals
- Insurance
- Partnership & Shareholder
- Property
- Public Sector
- Sale of Goods & Services

Dispute Experience

Boundary Disputes

- Numerous boundary related disputes while mediating for Mediation Oxfordshire between 2003 and 2007. One concerned questions of rights of way and involved multiple parties; another had progressed to County Court level.

Contractual Disputes

- Breach of contract claim for unpaid commission dispute between one of Europe's largest independent security service providers and a security sales consultant. Proceedings had been issued in the County Court in excess of £500k, concerning the alleged non-payment of commission, and in the Employment Tribunal for unfair dismissal and sex discrimination.
- Breach of contract dispute between homeowner and builder concerning loft conversion and quality of workmanship.
- Breach of contract dispute over unpaid fees between accountant and building company which had gone into liquidation.
- Breach of contract dispute between builder and homeowner over unpaid invoices and unfinished building works. County Court referred mediation in fast track claims.
- Commercial dispute between grouse, partridge and pheasant shooting estate and a farmer over shooting rights.

Construction & Engineering

- Commercial breach of contract dispute over unpaid fees between accountant and building company, which had gone into liquidation.
- Commercial breach of contract. County court referred mediation in fast track claims between builder and homeowner over unpaid invoices and unfinished building works.

Employment & Workplace

- Dispute between a manager and subordinate in the procurement department of a large company servicing the military. The employee had initiated a grievance against her manager. There had been an investigation and only some of her allegations had been upheld. One of the recommendations of the investigation was that the two parties participate in a mediation process to restore their working relationship. The mediation process took a day, following the typical

workplace mediation format of private meetings and one extended joint meeting. A detailed action plan was agreed at the conclusion of the process, and the parties gave permission of this to be conveyed in full to their line manager and HR.

- Disability discrimination claim between in-house solicitor, represented by trade union, and large public sector organisation. Settled post issue and six weeks prior to ET.
- Age discrimination and unfair dismissal alleged by sales person against multinational. Post issue, a few weeks before ET.
- Bullying and harassment alleged by project manager against insurance company. Post investigation but pre-issue of claim.
- Managerial style. Clash of old guard manager and newly appointed CEO. Both valued employees who directors would prefer not to have leave the organisation.
- Return to work after sick leave of team members following relationship breakdown between managers and team. Twelve individual mediations take place after careful conflict analysis.
- Unfair dismissal and whistle blowing claim by senior scientist against multinational pharmaceutical company. Pre issue of proceedings.
- Dispute concerning alleged constructive dismissal of company director.
- Workplace mediation in a conflict between two colleagues in a Corporate services membership organisation. One had complained to the employer about the behaviour of the other. Her grievance and her appeal were unsuccessful and the organisation encouraged both parties to go to mediation.
- Employment dispute between two senior managers in an international agency. Complainant had filed an harassment complaint, but opted for mediation to settle the dispute informally. Investigation and adjudication would have had far reaching consequences for both parties' careers.
- Dispute for damaged working relationship between two senior managers in an international professional services company. Their relationship had broken down over the impact of the



appointment of one of them into a more senior position than the other, aggravated by their very different working styles.

- Constructive dismissal dispute between the corporate head office of a famous London restaurant and three chefs who were claiming constructive dismissal in the High Court. Settled post issue and a few weeks prior to ET.
- Unfair dismissal dispute between a top ranking university in the UK and a professor who was contesting the fact that his employment contract had not been renewed after a fixed period. Settled pre issue of proceedings.
- Unfair dismissal and whistle-blowing dispute between senior scientist and multinational pharmaceutical company. Pre issue of proceedings.
- Disability discrimination dispute in an NHS England Trust between two consultants, both surgeons, after one surgeon was signed off sick by the other, her senior, for work related stress exacerbated by PTSD. The PTSD was subsequently classified as a disability. Settled post internal procedures but pre issue of proceedings.
- Disability discrimination dispute between in-house solicitor, represented by trade union, and large public sector organisation. Settled post issue and six weeks prior to ET.
- Age discrimination and unfair dismissal alleged by sales person against multinational. Settled post issue, a few weeks before ET.
- Managerial styles dispute concerning the clash of old guard manager and a newly appointed CEO. Both were valued employees whom directors would prefer not to see leave the organisation.
- Managerial styles dispute concerning damaged working relationship between two senior managers in an international professional services company. Their relationship had broken down over the impact of the appointment of one of them into a more senior position than the other, aggravated by their very different working styles.
- Bullying and harassment dispute in a District Council between four members of a team. One of the team had brought a grievance of bullying and harassment against the manager of the team. Settled post internal procedures but pre issue of proceedings.



- Bullying and harassment dispute in a car manufacturing business in the UK between a sales consultant and the company concerning a grievance resubmitted some years after an alleged episode of bullying and harassment and subsequent long term sick leave. Settled post internal procedures but pre issue of proceedings.
- Bullying and harassment dispute in a United Nations Specialised Agency represented by the head of accounts and an immediate subordinate involving long term sick leave and poor performance reviews. Settled post internal procedures but pre issue of proceedings.
- Bullying and harassment dispute in one of the largest banks in the world between a team leader with 8 accounts managers reporting to him, and his manager, concerning 5 grievances raised over a period of two years. Settled post internal procedures but pre issue of proceedings.

Landlord and Tenant

- Numerous landlord and tenant disputes while mediating for Mediation Oxfordshire between 2003 and 2007, particularly relating to housing associations and social housing.
- Most recently, 2019, a dispute between a large housing association and a tenant concerning the maintenance of their property. The tenant has already consulted a solicitor and the housing association was taking the matter seriously enough to contact a private mediator.

Neighbourhood Disputes

- Claim and counter claim in a dispute between a grouse, partridge and pheasant shooting estate and a farmer over boundary related shooting rights and damages following shoots.
- Numerous neighbourhood disputes while mediating for Mediation Oxfordshire between 2003 and 2007. The disputes concerned noise, parking, obstruction of light, maintenance of boundary fences, and anti-social behaviour, amongst other things.

Partnership & Shareholder



- Managerial style dispute between two partners in a law firm who could no longer work together and who clashed over how their departments interact and about how they dealt with strategic decision-making in the firm.
- Managerial style dispute between two academics in a highly respected university over decision-making styles. Both needed to be able to fundraise and work together.
- Relationship-breakdown dispute between two partners in a law firm where employment law partner and transaction law partner cannot work together because transaction solicitor keeps straying into employment law when giving advice in mergers and acquisitions.

Property

- Commercial breach of contract dispute between homeowner and builder over a dispute concerning loft conversion.

Sale of Goods & Services

- Commercial breach of contract dispute between large food packaging company and a recycling service over unpaid invoices.
- Commercial breach of contract dispute between a laundry service and a family owned hotel over unpaid invoices and unsatisfactory service.
- Breach of contract dispute between a farmer and animal feed supplier over unpaid invoices. Court of Appeal referred mediation.
- Breach of contract dispute between large food packaging company and a recycling service over unpaid invoices.

- Breach of contract dispute between a laundry service and a family owned hotel over unpaid invoices and unsatisfactory service.

Personal Style

Felicity describes her style as ‘hands-on process but hands-off substance’. She is very comfortable taking full charge of the management of the mediation process, while respecting the parties’ authority to determine the outcome of the dispute and find the agreement with which they are most comfortable. Employing interest-based and mutual gains negotiation strategies, Felicity is tenacious in helping the parties to achieve optimum win-win outcomes.

As a result of years of experience mediating in the context of on-going relationships, in particular workplace and employment disputes, Felicity is comfortable with high levels of emotion. She encourages parties to speak directly to one another and likes to work in joint session when the circumstances indicate that this would be constructive.

Feedback

Felicity Steadman receives consistently top marks in satisfaction ratings by users of mediation. Parties unanimously say they would use her again and a significant proportion are repeat users. Felicity has a high settlement rate with most mediations resulting in a settlement on the day.

- *“Ms Steadman has the ability, which frankly cannot be taught, to engage with both lay clients such as mine (three Japanese chefs) and corporate officers (also Japanese) on the opposing side and put both at their ease and be confident that she understood and would weigh carefully their main points. She has an impressive knowledge of employment law and is up to date with both cases and rules and materials. She has the ability to master a large hearing bundle in a limited time and refer confidently to the papers even when, as in my case, I found myself putting statements and documents in late (night before the hearing) but Ms Steadman seemed unphased*

and thankfully uncritical of me in front of my clients and had clearly taken the trouble to read my late papers overnight or very early morning. The hearing was booked for a fixed time and I felt Ms Steadman kept a careful eye on the clock and kept both advocates to the point to manage the time carefully and keep a focus making sure that both sides had time to fully ventilate their best points but not to repeat them. She has the good judicial habit of telling counsel when she had got the point and could move on with their argument. Steadman's obvious skills as a mediator will no doubt lead to her being highly sought after and successful in that field." Claimant Barrister (February 2019)

Parties frequently comment on her ability to reach a settlement in situations where this had seemed very unlikely at the start of the day. Feedback comments include:

- *"I appreciate the work you put into it, I am of the opinion that you did well, and would recommend your services again. (N.b. and my lawyer also speaks highly of your approach too!)". (May 2018)*
- *"Thanks for making a difficult day a lot easier, happy Christmas". (December 2016)*
- *"Just wanted to say thank you for your professionalism and approach today. In all honesty, I really wasn't looking forward to the session but you handled it incredibly well and I think we got to the right (if not very positive) outcome". (December 2016)*
- *"Thank you so much for your assistance with the mediation yesterday. Your stamina and patience was very much appreciated. With your help, we managed to achieve something that I think would have taken the parties weeks to achieve, if indeed at all. We are very happy with the outcome and very grateful for your valued input. Perhaps we will have another opportunity to work together in future". (August 2014)*
- *"Felicity was in control of this difficult mediation throughout. I don't know what went on with the other party but she managed to produce a settlement which seemed very unlikely at the start".*

Parties also praise her for her exceptional emotional intelligence. One party commented in feedback:

- *"Felicity managed to do things that required emotional intelligence that I know are beyond my capabilities – and the capabilities of anyone at my then-employer. She is probably in the top 2-3 of all the people I have ever met. She enabled me to feel that I had been listened to, when no-one at my employer had listened. She showed a degree of empathy for how I was feeling without passing comment or judgment on the events that I said had led me to feeling that way, which was very professional".*

A strong theme which emerges from feedback about Felicity is her calmness and professionalism, which strengthens the likelihood of reaching an agreement. Comments include:

- *"Felicity was very calm and professional. Both parties were quite emotional and the other party was very aggressive as well. It was not easy to achieve a solution."*

In workplace mediations, Felicity clearly has the ability to explain to employees how the process will work and enable them to feel comfortable and safe with the process so that they are willing to engage with it:

- *“When I realised there would be a strong chair who would keep things on topic I could see the value of mediation.”*

Parties also comment on her ability to help parties in workplace mediations come to agreements which will hold up over time. This is a particular feature of workplace mediations in comparison to commercial disputes, where the efficacy of the agreement depends on the employees being willing to put it into practice over time. One Party commented:

- *“This is the second time I have asked for Felicity’s help in two intractable situations – she has brokered an agreement in this case which has remained intact and usable by the parties involved”.*

Parties also praise Felicity for her tenacity, impartiality, patience and creative problem-solving abilities. The high degree of satisfaction expressed by parties who have used her is captured in this piece of feedback:

- *“She did a great job! She had a very difficult task ahead, particularly dealing with the other side. They were very angry and were very reluctant to pay any money, but with her calmness and many skills she managed to shift that and managed the parties to get a deal. She nailed it!”*
- *“Once again, thank you for your calm and reassuring attention in helping us reach agreement.”*
April 2013
- *“I wanted to thank you for your help in facilitating the meeting today and (for your) guidance along the way. Your intervention at crucial moments in the meeting helped us keep on track and maintain a clear focus on reaching an outcome that we are all happy with. Whilst these situations are never enjoyable, I certainly feel it was a productive meeting and allowed us to reach closure of the situation and move forwards.”*
- *“Ms Steadman, who did an excellent job.”*
- *“Very helpful process and hopefully it will assist in producing a more effective working relationship.”*
- *“We were very impressed and thought Felicity was brilliant. She was just so clear on the whole process. She was very professional, but very approachable and it was obvious that she was concerned about our welfare.”*
- *“We were very happy with Felicity. She spent a lot of time with us individually in private sessions to discuss the issues. That worked well.”*
- *“Felicity was very professional, particularly in her preparation.”*

A senior CEDR mediator who was assisted by Felicity gives the following feedback:

- *“Felicity Steadman was outstanding. I would go so far as to say that if she had not taken over at one point in the early afternoon, we would not have reached settlement. Her manner creates trust and confidence in her ability. Throughout, Felicity was helpful to me in the ‘between sessions’ periods and extremely constructive in her thoughts.”*

Professional Background

1991 – PRESENT Felicity has worked as a freelance dispute resolution practitioner since 1991.

In that time she has been a mediation and arbitration panellist of leading private and statutory dispute resolution agencies in the UK and South Africa. She has been a director of the training company Conflict Dynamics since 1996.

1991 – 1992. Project manager for the Community Dispute Resolution Trust at the Centre for Applied Legal Studies University of the Witwatersrand.

1989 – 1990. Assistant to the director and member of the mediation, arbitration, facilitation and training panels of the Independent Mediation Service of South Africa.

1986 – 1989. Group industrial relations advisor for the Premier Group of companies – 36 000 employees.

1982 – 1984. Senior professional officer for the Institute for Industrial Relations.

Mediation Training

Felicity is currently the Head of the CEDR Mediator Training Faculty. In this capacity she is responsible for the quality control of the CEDR mediator skills training. This ranges from the quality of the materials to the quality of the delivery of the course. She trains mediators throughout the world. Besides her work with CEDR she trains mediators in South Africa for Conflict Dynamics and in 2012 was awarded the CEDR ADR Trainer's Award for this work. Felicity also trains conciliators, mediators and representatives of Ministries of Labour, trade

unions and companies in developing countries for the International Labour Organisation. She was first accredited as a mediator in 1989 and has also trained as a conciliator with ACAS (1991) and is an ILM Qualified Workplace Mediator.

Other Skills and Training

Felicity has a Master's Degree in Industrial Relations from the University of Warwick (1985); and from the University of the Witwatersrand she has a BA Honours (1981), a Certificate Programme in Industrial Relations (1984) and a Higher Diploma in Labour Law (2003). She was top student in both the Certificate and Diploma courses and passed both with distinction.

Felicity co-authored Commercial mediation : a user's guide to court referred and voluntary mediation in South Africa, published in 2012 and revised in 2016. In 2007 Felicity authored the publication Handbook on Alternative Labour Dispute Resolution for the International Labour Organisation. She was a contributor to the publication How to Master Negotiation published by Bloomsbury Professional in 2013; co-author of the book Labour Dispute Resolution published by Juta in 1997 and revised in 2008; and a contributor to the book Dispute Resolution published by Juta in 1993. She has contributed many journal articles to various publications.

Felicity was the founding chairperson of the South African Society for Labour Law.