



<b>CEDR Accreditation:</b>	2003
<b>CEDR Panel:</b>	2004
<b>CEDR Faculty/Lead</b>	2004/2013
<b>Languages:</b>	English
<b>Location:</b>	United Kingdom, Afrikaans

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

Client Feedback

## Felicity Steadman

### Overview

Felicity Steadman is an experienced independent mediator having started her practice in 1989. She has mediated over 500 matters in that time. She mediates a wide range of disputes, including employment, workplace and commercial. She is based in Oxford. 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 is Head of the CEDR Mediator Training Faculty, a fellow of the Civil Mediation Council, certified by the International Mediation Institute, a founding member of Oxford Mediation, and a member of the International Academy of Mediators.

### Professional Background

Felicity's professional background is in business, industrial relations, and employment and labour law. She has been a Director of Conflict Dynamics in South Africa since 1996. She has worked as an independent mediator for more than 34 years mediating a wide variety of disputes. Felicity has also acted as chair of many grievance hearings, disciplinary enquiries and appeals, and as an arbitrator in many of employment matters. 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. Felicity was the founding chairperson of the South African Society for Labour Law.



1991 – PRESENT. Felicity mediates for CEDR, Oxford Mediation and Conflict Dynamics. She is also a mediator trainer. 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 conflict management and dispute resolution 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 at the Institute for Industrial Relations.

## Expertise

- Employment & Workplace
- Financial services
- Information, communication and technology
- Partnership and shareholder
- Right of Way
- Trusts, wills and probation
- Franchise Disputes

## Recent Dispute Experience

### Franchise

This dispute was between a franchisor and a franchisee over a claim of approximately £160 000. The claim concerned an allegation that the goodwill value of the franchised business had been undermined by a deliberate alienation of clients from the franchise. The mediation was successful and the matter was resolved.

### Information, communications, and technology

This dispute was between a high-tech electronic chip manufacturer and a software company offering analytics solutions over an alleged breach of contract relating errors/bugs/fixes vs enhancements and delay issues. The parties were represented by well-known international law firms and the mediation took place in person. The challenges were working with the parties on the outstanding technical problems and financial (sunk) costs in the region of \$5m. Representatives had flown in from around the world and could not stay in London for more than 48 hours.

### Financial services

This dispute concerned a public sector asset management company and an investment company over a loan and investment arrangement involving approximately \$882m. I conducted this mediation entirely online with parties and their legal representatives on three continents. The claim



related to shares, unpaid loans, and allegations of self-enrichment. The challenge in this dispute concerned authority to settle and quantum.

## **Trust, wills, and probate**

I conducted this mediation entirely online with parties in different parts of the world. The central issue was the breakdown in trust between the sole beneficiary of the Trust and the Trustees. There were complex matters relating to the provisions of the Trust, fiduciary duties of the Trustees and also the breakdown of family relationships that had existed for generations. The challenge in this matter was maintaining momentum in the process over several months while consultations took place amongst Trustees and within the family at each step of the process.

## **Right of way**

This dispute was referred by the Court of Appeal mediation scheme. It involved Two farmers locked in a dispute over a right of way. The challenge in this mediation was that the defendant in the appeal had full legal insurance and was prepared to risk proceeding with the appeal. Relationships between the farmers were fraught and the appetite for settlement was limited.

## **Employment and workplace**

- Conflict within a team of subject matter specialists in a Department at a Russell Group University – as often happens in workplaces, four members of a larger team had fallen out with one another over ways of working. Two of the four were ‘on the same side’ and were pitched against the head of the department and a junior team member. The situation was complicated by the fact that the Head of Department was due to go on sabbatical and one of the two would be acting as Head. The challenge in this mediation to persuade reluctant parties to join the mediation, and to do it before the Head went on sabbatical.
- Conflict between two senior staff members in a department at a leading modern British university – two senior lecturers had fallen out over allegations of hate speech and discrimination on the basis of nationality by one against the other. The challenge in this matter was extremely high emotions and the fact that the one of the two was on probation and felt that their job was at risk.
- Conflict amongst a senior management team at a charity working to overcome malnutrition – this team could no longer work together and one person in particular had been completely isolated. The challenge in this matter was how to deal with the different interpersonal relationship strains as well as the team dynamics.

- Conflict between colleagues working for a charity with a mission to improve the lives of young people – three colleagues (two senior and one junior) had fallen out over allegations by one of the senior staff members that the junior staff member has generated unfounded rumours about her. The junior staff member was already in a difficult position with the other senior staff member for failure to follow work procedures. The junior staff member was on a return to work after a period of sick leave. The challenge in this matter was managing the process. I had a variety of joint and private meetings configurations before resolution was achieved.

## 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, 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.

- *I went into the mediation believing that the prospect of a successful outcome was low, and that proceedings seemed inevitable. Felicity's diligence, patience and careful problem solving arrived the parties at a commercial solution. The mediation started with a hitch in the operation of the technology. Felicity calmly navigated the problem and agreed to continue the mediation later at no additional cost to make up for the lost time and a little extra.* James Barrett, Partner, Hamilton Pratt:
- *Your work was both meticulous and thoroughly professional. We would highly recommend your mediation services - carried out with sensitivity and attention to detail.* Kieran Cooke | Former foreign correspondent BBC
- *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.* Claimant Solicitor

- *The outcomes of the mediation with Felicity have continued well past the meetings themselves and resulted in tangible relationship and hence business improvements. Both sides provided only positive feedback on the experience and on Felicity herself.* Commissioner | HR Manager
- *The control and calm you provided through this challenging situation was hugely welcome. The clarity you provided to each party has been helpful. The process has allowed us to have an easier forum to have follow up conversations and monitor and manage the situation.* Claimant | Senior Partner
- *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.* Defendant | Head of School
- *Thank you for your help in this matter. You handled two difficult characters with ease and grace! The outcome should allow us to work together and, over time, restore at least most of our friendship.* Beneficiary | Trust
- *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.* Claimant | Scientist
- *Very helpful process and hopefully it will assist in producing a more effective working relationship.* Commissioner | HR Manager
- *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.* Partner | Global Financial Consultancy
- *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.* GP Practice | Manager
- *I would highly recommend Felicity to anyone looking for an effective, professional and tailored mediation service. Felicity ensured she thoroughly understood the reasons why mediation was being requested before the process.* Commissioner | HR Manager
- *I would highly recommend Felicity to anyone looking for an effective, professional and tailored mediation service. Felicity ensured she thoroughly understood the reasons why mediation was being requested before the process.* Commissioner | HR Manager
- *Your stamina and patience were very much appreciated. With your help, we managed to achieve something that I think would have taken the parties weeks to achieve.* Defendant Solicitor

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

## **Other Skills & 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.

