

Workplace Services

Services for organisations
serious about culture



kia tau

YOUR EXPERTS
IN DISPUTE
RESOLUTION



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Conflict and wellbeing

An organisation's hauora is more than just wellness initiatives.

Workplace conflict, *Definition*, A challenging dynamic between people, who are upset, who perceive the other as being at fault and who act in ways that cause issues for the organisation.

Mental wellbeing, *Definition*, A state of wellbeing where a person can realise their own abilities, cope with the normal stresses of life, work productively and contribute to their community.

Workplace culture, *Definition*, The values, belief systems, attitudes and the set of assumptions that people in a workplace share.

People are an organisation's most important asset.

Unhealthy, poorly managed or ignored conflict impacts your organisation's overall health, productivity, and culture. The same can be said of your people's wellbeing. Without early visibility and the right capabilities to manage these, both your organisation and your people will feel the negative impacts. Poor insight and management will lead to more conflict and poor outcomes.

We see workplace conflict, mental wellbeing, and culture as inextricably linked, each affecting the other. When managed well your organisation can foster innovation, find opportunities through healthy conflict and gain a more engaged and productive workplace from creating a psychologically safe, supported, and warm environment.

Our Workplace Services are a suite of tools that will enable your organisation to turn around conflict and improve the culture of your workplace.



A complete solution for organisations that are serious about culture

Our approach to conflict and wellbeing can be broken down into three key segments.

Conflict happens. It can happen at anytime and in varying circumstances, that's why we're here. That's why you need to develop, enable and protect your organisation.

Develop; a proactive approach to de-escalate and positively reframe conflict, we develop your people to navigate conflict in the workplace for mutual benefit.

Enable; an appropriate approach to resolve conflict and issues that occur, we enable your people to speak up, restore communication and empower people to gain stability again.

Protect; an approach to understand and learn from conflict and matters that occur, we protect the organisation and its people by providing independent expertise to ensure you can thrive.



Develop
your capability

Develop a proactive approach to de-escalate and positively reframe conflict. We develop your people to navigate conflict in the workplace for mutual benefit.



Learning & Development

Develop essential skills and capabilities in your workplace

About

Upskilling your people is listed as the fourth most in demand perk in New Zealand*. When it comes to culture, relationship skills and conflict, training your people will equip them to handle difficult conversations and turn negative conflict around.

We offer a broad range of short courses and multi-day programmes that cover the deeper skills needed in relationship and conflict management, through to crafting the culture for an in-sync team.

Our trainers are the same practitioners who deliver high-profile mediations and facilitations for some of New Zealand's biggest organisations. Their real-life experience and broad exposure to various types of workplace cultures will benefit your people. Your team will gain both practical and soft skills from people who practice what they teach everyday.

All training programmes and modules can be adapted to meet the needs of your organisation and people, and be delivered virtually or in-person.

Benefits

- Practical training focused on building real-life skills in modern workplaces.
- Highly experienced trainers well versed in organisational change, conflict and coaching.
- Bring diverse and dispersed teams together socially and emotionally.
- Increase resilience and transform conflict into productive conversation.
- Develop a culture of thriving teams, by instilling essential skills that enable cultural excellence.

Did you know?

Over 95% of people who received conflict training as part of their leadership development or as an external course say that it helped them. Of those, 64% said that it made them more comfortable and confident when handling a conflict situation.

CPP Global Human Capital Report, 2008

*The most-wanted work perks in New Zealand - Seek

Packages

Culture crafting

Empower teams to thrive in hybrid working environments by bringing intentionality to workplace culture. Through an interactive process teams build their culture from the bottom up, defining how they wish to feel and the enabling behaviours.

● ● ● FOUNDATION

TEAMS

Building trust

Enable teams to speak up safely and easily through a dynamic workshop that helps participants to understand the complexity of trust and identify behaviours that deplete it. This is especially powerful in post-restructuring or HR-driven contexts.

● ● ● FOUNDATION

TEAMS

Emotional and social agility

Enhance dynamics by developing a deeper understanding of team emotional and social agility. Through interactive tools participants learn how to lead with empathy, master emotions, and align this with personal and organisational values.

● ● ● FOUNDATION

TEAMS

Understanding implicit bias

Cultivate workplace inclusivity by raising awareness of the interplay between neurophysiology and bias-driven behaviour, and its impact on decision making, systemic processes and a team's ability to celebrate diverse workplace cultures.

● ● ● INTERMEDIATE

LEADERSHIP

Communication, collaboration and conflict styles

Identify communication styles, and how they impact individual and team effectiveness. This training explores effective communication, problem solving, innovation and how to foster a collaborative team environment.

● ● ● FOUNDATION

TEAMS

Challenging conversations for leaders, staff or nominated listeners

Learn the fundamentals of conflict de-escalation, this training is tailored to the audience. It aims to demystify conflict by building confidence in navigating challenging conversations, addressing the underlying issues and focusing conversations on the future.

● ● ● INTERMEDIATE

TEAMS & LEADERSHIP

Raising resilience

This course is designed to help people explore their relationship with failure and how this influences team dynamics. It teaches how to minimise the chance of being 'pushed off balance' and define both personal and team success.

● ● ● FOUNDATION

TEAMS

Coaching

Develop custom coaching solutions for your people

About

Each coaching programme is tailored specifically to your needs, with extra support and guidance from our trainers. These programmes are designed to help your people build capacity, competence and confidence to self-manage situations, no matter their starting point.

Whether you're looking to promote someone to their first leadership role or provide a cohort of your organisation's best and brightest with additional training, one of our fully adaptable programmes will give them everything they need to excel.

Coaching equally provides guidance in situations where you need to de-escalate conflict or support someone through an employment process.

The key benefit of coaching is that it encompasses the requirements of multiple stakeholders; individual learning needs can be balanced against the overarching direction provided by management and human resources.

A coaching programme can be structured as a short-term intervention or for professional development, ideally delivered in a format of 4-6 sessions, or to suit the individual and organisational needs. Trained in mediation and coaching, our experts can help your people gain practical and essential skills for the modern, and at times challenging, workplace.

Benefits

- Practical training focused on building real-life skills in modern workplaces.
- Highly experienced trainers well versed in organisational change, conflict and coaching.
- Tailored programmes with extra support specifically for small group training.
- Fast-tracked upskilling from foundational to expert skill sets.

Conflict coaching

A short-term programme designed to be quickly deployed to intervene in an escalating conflict situation. This programme upskills and enhances people's capability to handle conflict professionally and confidently. It can be delivered to a small cohort or one to one depending on the situation.

Coaching outcomes are increased civility, and confidence in handling conflict and managing their emotions and behaviours.

Professional coaching

A fully tailored development programme that is co-designed with the organisation to upskill people in conflict management, communication and handling challenging interpersonal situations.

A tailored programme can be run with a small cohort of peers, one to one for specific people or as a hybrid depending on the requirements.

Kāpehu

Develop your people and your workplace together

About

With Kāpehu your people have a highly qualified conflict coach available on tap.

With the aid of an experienced practitioner, your people are equipped with the tools and techniques they need to de-escalate conflict, engage in difficult conversations and find solutions to interpersonal relationship issues, whilst developing their own resilience and capability in the workplace.

Everyone benefits from Kāpehu — including senior leadership, people leaders and managers, and front-line staff.

Kāpehu is conducted virtually and is a safe space for your people to talk about work, then create a plan and get guidance on implementing what they have been taught. This service is confidential and is designed around actively supporting people to respond to workplace challenges. Kāpehu also integrates with existing resources, like workplace policies, HR, and EAP. Kāpehu functions like an extension to the organisation's existing processes.

Benefits

For your people

- Develop the ability to self-manage conflict & situations proactively and effectively.
- Dynamic conversations based on the actual issues faced by your people.
- Get access to NZ based practitioners who have experience and qualifications in dispute resolution, workplace culture, and management techniques.
- Preserve and empower workplace relationships.

For your organisation

- Improve team cohesion and reduce workplace stress.
- Reduce the likelihood of workplace conflict escalating into disputes.
- Get insights into your organisation's culture, workplace relationships, and conflict through confidential reporting.

Did you know?

1 in 2 (49.7%) of organisations have seen a year-over-year increase in observable stress and anxiety in their staff, and staff report relationships as the 4th leading cause of work-related stress.

BusinessNZ, Workplace Wellness Report 2023

How Kāpehu works

Greg is a people leader and has recently become concerned about his Jane's office conduct. It's minor in nature and he doesn't think it warrants intervention from their People and Culture team. However, his concerns need to be addressed sooner rather than later and he knows that this discussion with his team member will potentially be challenging.

Greg knows his organisation has Kāpehu which can help coach him through the process of having a difficult conversation or any other kind of conflict he may encounter in the workplace.

How Kāpehu works for Greg

- Greg calls the Kāpehu number and arranges a time for his initial coaching call that suits him, they also talk about the service model, assuring him, that no identifiable details will be shared.
- During Greg's first coaching call, Fair Way's Kāpehu practitioner listens, explores and helps him put a plan into place. The practitioner suggests tools and techniques to enable him to have a productive conversation with Jane.
- Now that Greg feels more equipped to talk to Jane, he is able to have a difficult but productive conversation. The conflict is diffused before it manifested, and Jane was able to adjust her conduct before it became a larger issue.
- Greg has a follow up call with the Kāpehu practitioner to recap how the conversation went, cement his learnings, and reflect on what Greg could do to enhance his communication and conflict skills.

How Kāpehu works for the organisation

Kāpehu is an organisational ombuds model founded on four key pillars: independent, impartial, confidential, informal. It helps your organisation identify recurring themes and issues that occur throughout your departments and teams, and is delivered by practitioners who follow the International Ombuds Association (IOA) principles and understand your organisation's policies and procedures.

By providing an independent pathway that encourages your people to share their experiences with an impartial coach, insights are gathered from the types of conflict and interactions happening in the organisation. We use this information to provide anonymised reporting and recommendations that enable you to proactively improve your workplace's culture and meet the needs of your people.

Enable
your people

Enable your people to resolve conflict and issues that occur. We enable your people to speak up and restore communications, and empower people to gain stability again.



Speak Up

Enable people to speak up and voice concerns through an independent and confidential channel

About

Speak Up is an independent and confidential complaints service. It helps your people to raise any sensitive issues or concerns they have about behaviour in the workplace.

Do not turn a blind eye. To protect against the negative effects of poor behaviour and fraud in the workplace, it is important for large organisations to have appropriate processes and channels in place to help their people feel safe voicing their concerns.

When speaking up is encouraged, and employees know their concerns will be heard in good faith, it protects the workplace's culture and reputation by encouraging team members to report serious issues and challenges rather than hiding their concerns.

Did you know?

Almost 1 in 3 (30%) workers have experienced a form of sexual harassment and almost 4 in 10 (39%) experienced racial harassment in the last 5 years. 1 in 5 (20%) of workers experienced bullying in the last 12 months.

Experiences of Workplace Bullying and Harassment in Aotearoa New Zealand, Human Rights Commission

Benefits

For your people

- Provide an independent and safe channel to disclose sensitive information without the fear of repercussion.
- Simplifies the contact point for reporting issues and wrongdoing within the organisation.

For your organisation

- Provides anonymised reporting to help the organisation improve its systems and processes.
- Builds trust in the process and increases the likelihood of a serious wrongdoing being reported and captured internally, mitigating external exposure risk.
- Full compliance with the Protected Disclosures (Protection of Whistleblowers) Act 2022 and the Privacy Act 2020.

\$105.8 million is the amount of total fraud reported in 2022, an increase of 256% year-on-year, 61% of the perpetrators were either managers or employees of an organisation.

The real estimated amount lost to corporate and government fraud is much higher at over \$4 billion each year.

KPMG, Fraud Barometer 2022 and PwC Global Economic Crime and Fraud Survey 2022

How Speak Up works

Recently a senior member of staff from another business unit has been harassing Āwhina inside and outside of work hours. The status of this senior staff member makes her feel like she cannot talk to her organisation's People and Culture team. She recalls that her organisation has Speak Up and that it is a third party, independent service to confidentially voice formal complaints.

How Speak Up works for Āwhina

- Āwhina calls the Speak Up line which is answered by one of Fair Way's Speak Up coordinators who then organises a practitioner to talk with her. They discuss her complaint with her, gather the relevant information and discuss what steps can be taken to protect her from further harm.
 - The Speak Up practitioner triages the information in line with Āwhina's request for anonymity.
 - An anonymised report is developed with Āwhina. With her agreement and consent, this report is sent to an appropriate delegated contact within the organisation to respond to Āwhina's concerns.
 - The organisation immediately acts on the complaint that has been triaged by Speak Up, to protect its people and reputation from further harm.
 - As the complaint progresses, Āwhina has the option of disclosing her identity to enable the organisation to fully investigate and progress the complaint.
- Since the organisation took quick and affirmative action, Āwhina feels confident that she has been heard and protected. This enables her to go to work free from the fear of harassment and reprisal. The organisation also benefits from quickly identifying serious misconduct before it causes further costly harm to its people and reputation.

How Speak Up works for the organisation

Based on the scope of the service required, we can triage issues against your policies, processes, and the law to help determine if certain thresholds are met to justify a formal complaint. We can also suggest alternative pathways for people based on the issues raised.

- Your team's concerns are handled by experienced practitioners with significant experience in dealing with complex situations. They have full awareness of the rights of employees and can help people understand the extent of internal and external protections available, along with options to escalate their formal complaint.
- Speak Up is completely independent from your organisation, but with intimate knowledge of your internal processes and procedures, especially for Protected Disclosure notifications.

Facilitation

Enable people to resume positive communication with the aid of an impartial, independent expert

About

Facilitation is a way to explore issues or agree actions early, guided by an expert practitioner. It is often used to assist conversations and restore lines of communication between people or groups.

Facilitation is an ideal tool when agreements have not been able to be reached, a professional relationship with an individual person or amongst the team is becoming strained, or even for planned meetings where help is needed to ensure people are heard and communication is handled professionally.

Facilitators do this by creating an informal but appropriate environment and process to have constructive conversations. They often use a mana-enhancing process that can include a restorative practice approach to improve and repair relationships.

Workplace relationships that are left to break down create toxic environments for wider teams, which can result in the loss of valuable talent, lowered productivity and can lead to grievances. By providing facilitation early, you help people explore issues and reach a resolution or consensus before thinking and positions become entrenched.

Benefits

For your people

- Kick-start communication through a friendly and informal process.
- Resolve issues early and avoid more formal corrective action.
- Have a safe place to communicate with expert guidance.

For your organisation

- Create a proactive and positive culture of dealing with conflict.
- Resolve issues early which reduces lawyer and advocate involvement.
- Prevent further disruption and the negative effect conflict has on morale.

Facilitation case-study

A lengthy workplace investigation created disharmony and distrust within a team. The employee had been on leave during the investigative process, creating speculation and division within their team. The investigation cleared them of wrongdoing, but the team's manager could see that they would need some support to reintegrate them into the team and restore the team's ability to work together harmoniously.

Through the facilitation process, the team were invited to share how they wanted to feel in the workplace and co-create a strategy for the behaviours, intentional or unintentional, that detracted from their ideal workplace culture. The facilitator then shifted their discussion to what their ideal, future working experience would be and what they would do to ensure that experience.

By using facilitation to get the team working towards creating a good workplace, they were able to overcome the distrust and division that had developed during the investigation. The team members and manager found a way to move forward with a better level of collegiality after the team had defined what positive conduct looks and feels like in the workplace.

Mediation

Enable people to explore and resolve conflict

About

Mediation is a way to resolve disputes between people or groups with the help of a neutral mediator to assist them in reaching a jointly acceptable resolution to the issues in conflict.

Mediation helps people get unstuck from their positions and discover solutions they can use to resolve their dispute. By creating a calm atmosphere that recognises people's values, mediated meetings can bring back respect, and restore a direct line of communication so people can talk about their perspectives rather than their demands or position. By taking a step back from their position and understanding each other, people can take a fresh look at their dispute.

We use a consensus-based approach to mediation and focus on restoring communication and relationships so people can calmly and professionally resolve their dispute.

Mediation has a high rate of success with 70-80% of cases agreeing to some or all matters on the day of mediation and 10-15% resolving a few days later*. Making it a must-consider option over formal procedures.

Benefits

For your people

- Resolve underlying issues, not just the immediate conflict.
- Develop and agree on a creative, workable and mutually acceptable solution.
- Move forward.

For your organisation

- Prevent costly grievances and settlements.
- Retain people.
- Provides a private, quick and cost-effective forum for disputes.

*The Tenth Mediation Audit - CEDR

Why mediation?

The average ERA case cost an employer \$41k to defend in 2019, and is now estimated to have risen to \$50k to \$60k in addition to total timeframes exceeding 12 months. It's a costly and slow process that should be used as a last resort – not the first when it comes to workplace issues. By using mediation first, an organisation can avoid costly grievances going through the court process, saving substantial legal costs and time whilst retaining valuable employees or aiding others employees to leave amicably.

Mediation should be one of your first steps when it comes to employment disputes, saving your organisation time, cost and people in the process of overcoming conflict.

**Protect your
organisation**

Protect your people and organisation
by understanding and learning from
conflict and matters that occur.
We provide independent expertise
to ensure you can thrive.



Professional Services

Protect your organisation from uncertainty and support your HR processes with expertise

About

When there's too much uncertainty or the interests of your team are questioned, it may be time to call in independent experts to help shoulder the load.

We can audit your existing employee relations processes, oversee employment processes, and support your organisation in a variety of situations. By providing independent experts with a background in law, dispute resolution, leadership, and business management we can help your organisation build resilience and navigate challenges.

Independent experts add credibility, impartiality and trust to the process, ensuring your organisation's reputation is enhanced, and the principles of natural justice are observed.

Benefits

For your people

- Overcome any perception of bias.
- Individuals involved in the process can trust that it is fair and impartial.
- Alleviate stress and fear of retribution for participants.

For your organisation

- Highly experienced and qualified experts matched to the needs of the organisation.
- A confidential process from end-to-end.
- Independent and impartial experts provide credibility and enhance your reputation and builds trust.

How we can help

Independently audit existing processes

We assign an independent, experienced practitioner to review your existing employment relations processes and provide a report on their findings along with recommendations to improve them if needed.

Oversee formal meetings

When the interests of your team are questioned or they are unable to meet this need, we can provide an independent chairperson to oversee and direct internal formal meetings, maintaining a professional and fair process.

Aid grievance processes

Grievances can quickly cause tension and stress for the people involved in the process. As a third party independent of the organisation, we can aid your people in managing the process, ensuring statutory requirements are followed and a fair and equitable outcome is found.

Manage disciplinary panels

Disciplinary panels need to be impartial, follow the rules and policies applicable to the case and hear all the facts before making determinations. An internal panel may not be seen as neutral which can lead to further disputes arising. We can help by managing the process independently and ensuring that cases are heard fairly and determinations are made appropriately.

Consult on workplace policies and procedures

When drafting new policies and procedures, your organisation will want to ensure that they are fit for purpose, tested and then followed consistently. Depending on the type of policy, we can consult and aid in the developing policies and procedures that work for your organisation.

Investigative Services

Protect the integrity of any investigation by using independent, impartial experts

About

An independent investigator enables you to get to the bottom of issues. Engaging someone external protects the integrity of the process and builds trust. Our Investigative Services can encompass both high-level reviews of matters and in-depth investigations.

We take time to understand what's going on in your organisation and for your people. We develop terms of reference that ensure the process is carried out with integrity, accuracy and is one that works for your organisation. This might include interviews with team members or external parties, reviewing your processes and policies, and uncovering the facts behind a matter.

We manage the process in confidence and with sensitivity. Our independence increases faith in the findings and the value to the organisation.

At the conclusion of the process, we provide the organisation with our report, insights and recommendations on what to do next.

Benefits

For your people

- A transparent and fair process conducted by an impartial and independent investigator.
- The opportunity to be heard.

For your organisation

- Credible, experienced and licensed investigators, who have experience conducting investigations in the public and private sectors.
- Clear and factual findings for you to make informed decisions from.
- Meets all statutory requirements.

How we can help

Alleged misconduct we investigate

- Bullying and harassment.
- Behavioural problems.
- Theft.
- Insubordination.
- Inappropriate language and name-calling.
- Breaches of employment agreements and obligations.
- Failure to follow policies and procedures.

Why use an independent investigator?

When matters have reached the stage where an investigation is being considered, serious thought should be given to how it will be conducted and by who. In nearly all cases, an independent investigation will be more credible than one conducted internally.

By using an independent expert, people will be more willing to engage in the process and internal biases can be mitigated, leading to trustworthy and accurate findings that can be used to direct next steps.

We are licensed private investigators under the Private Security Personnel Licensing Authority (PSPLA) and carry a full permit to conduct workplace investigations.

After an investigation

An investigation does not resolve issues, it only establishes a finding for the process of resolution to then build from. Depending on the findings of the investigation people will either need to be reintegrated into the organisation or a disciplinary process will need to start.

While investigations provide facts and recommendations, your people will still need some support to resolve the uncovered issues and get people working together again. Services like facilitation or mediation are often useful following an investigation to prevent ongoing impacts.

Testimonials

“ Very efficient, great communication, extremely professional. Felt at ease dealing with these guys when in an intense, frustrated situation. ”

Mediation customer

“ Nothing like this program as a mechanism to support development of leadership staff. Programs of this quality are just not available elsewhere. ”

Professional coaching attendee

“ I do really appreciate getting this off my chest, and now I have some skills, conversation starters and the ability to be open minded in my conversation... you have been a great help thank you so much. ”

Conflict coaching feedback

“ I recently had some quite serious issues at work and was in contact with Kāpehu. I was able to talk to a coach... Emma was incredible, I have spent some time with coaches and people in similar professions (co-incidentally) and I was blown away by Emma’s approach, quiet reasoning, the ability to not give any opinion and to guide me through my thoughts really subtly... I wish I had an Emma to coach me through life in general, I learnt a great deal... Thank you very very much for being there and having such high level, brilliant people like Emma. ”

Kāpehu caller

“ Speaking to someone outside of my organisation is like having a lighthouse at this time, it provides some safety. ”

Kāpehu user

About Fair Way – kia tau

For more than 25 years, New Zealanders in conflict have trusted Fair Way to help find a way forward.

We resolve disputes. We help organisations build their own capability to prevent and manage conflict. We provide neutral, independent and confidential services. We settle, we resolve, we calm in a fair way.

Our results speak for themselves, as New Zealand's leading dispute resolution provider we've setup and delivered well known dispute resolution schemes on behalf of the NZ Government and industry bodies. We've coached leaders and professionals from some of the largest organisations in the public and private sectors, de-escalated headline news disputes, and investigated complex multi-party cases.

Tikanga

Our process is flexible and fits each person, for example we can provide a tikanga based process. Everything we do is based on the philosophy of 'Kia Tau' and our values of Professionalism (Tika), Integrity (Pono), Collaboration (Mahi Tahī), Fairness (Tōkeke) and Empathy (Aroha).

Confidential

We treat all enquiries, and engagements in strict confidence. In line with applicable regulations, the privacy act and best practice, we ensure that your information and data is protected.

Experienced

All our practitioners are members of either Arbitrators' and Mediators' Institute of New Zealand, Resolution Institute or the New Zealand Law Society. With additional training and accreditation in other specific areas of expertise.

Contact us

Want to find out how
Workplace Services
can assist you?

You can get in touch with us:

Online www.fairwayresolution.com

Phone 0800 77 44 08

Email workplace@fairwayresolution.com



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Our logo is inspired by the mangopare design, which represents the hammerhead shark. It is a symbol of strength, determination, leadership and agility.

The symbol is created with three lines. In toi whakairo the repetition of three lines (haehae) represents the three elements that make up a journey: past, present and future. Peoples' past issues bring them to Fair Way for resolution in the present, and together they can move forward to a peaceful future.



fair way 

kia tau

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