

Mediation Case Study

Mediating a performance dispute between athlete, coach and Performance Director in accordance with the Mediation Procedure of Sport Resolutions (UK)

Dispute background

A dispute between a world class athlete and coach which was undermining team harmony at national and international competitions and was in danger of escalating to formal litigation. The dispute was consuming a significant amount of time and energy of the Performance Director, whose best intended interventions were further flaming the dispute.

The parties

The athlete, coach and Performance Director of an Olympic sport.

Service Provided by Sport Resolutions

Sport Resolutions' Dispute Resolution Manager appointed a leading Mediator from Sport Resolutions panel and liaised with the coach, athlete and performance director to gain consent to mediate through Sport Resolutions. Significant input was required by Sport Resolutions to explain the mediation process and to gain the confidence of all parties, which resulted in drawing up and signing of a mediation agreement. Initial telephone contact was made between the mediator and the parties to clarify the issues and explain the process. A full day mediation followed at a neutral venue which consisted of a series of joint and individual meetings. All this was organised by Sport Resolutions. Total time recorded by Sport Resolutions was 24 hours.

Cost to the Parties

A total bill of £1200 which was settled by the NGB. A similar service would have cost the NGB up to £5000 to purchase on the commercial market.

Outcome achieved

The dispute was settled within 16 weeks from first Sport Resolutions contact to final settlement. The athlete, coach and Performance Director signed a confidential, binding settlement agreement which allowed both the athlete and coach to continue in the sport. The settlement agreement included a joint statement to say that the matter was now closed, a series of agreements about future behaviour and conduct and provided an agreed informal mechanism for resolving any drift from the agreement.

Benefits

Hours of valuable Performance Director time saved and re-focussed on sporting goals.

A world class athlete and world class coach continue in the sport.

Litigation avoided with the consequent legal costs and impact on the athlete, coach and NGB.





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