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Institute for Contemporary Psychotherapy + Psychoanalysis

Restorative Conflict Resolution at ICP+P

Introduction

Restorative Conflict Resolution (RCR) is a process to resolve conflict and repair ruptures in a relationship. It provides an opportunity for relationship repair. It includes measures for accountability and /or amends to be made, as well as a plan and commitment to prevent further conflict, rupture, hurt, or harm. This approach draws from the conflict resolution process of Community Boards of San Francisco, restorative justice concepts and practices, and the theory and practice of relational psychology.

Anyone who has experienced a conflict, a rupture, hurt, or harm at ICP+P with, or from, another person, may ask for an RCR meeting and is referred to as the Initiator. The other person involved, if they agree to participate, is the Respondent. It is possible that both individuals could initiate a request for an RCR meeting, in which case they are Initiators A and B.

RCR is a voluntary, confidential, facilitated, non-punitive, non-judgmental, and structured process. It is designed for any member of the ICP+P community (members, students, faculty, presenters, and those in informal or formal leadership roles) to be heard by the person with whom they are in conflict and/or from whom they have experienced harm, with support from a panel of their peers.

We are a community that values our responsibility to one another. We know that conflict and rupture happens. The Restorative Conflict Resolution process is a way to provide the possibility of repair when conflict, rupture or harm occurs. Engaging in this process can be very valuable to each individual even if a resolution is not reached.

Facilitators of the process will listen for the connection of the individual conflict, rupture or harm with the functioning of ICP+P and may ask for input and recommendations from the individuals involved in the restorative conflict resolution process.

Everyone at ICP+P will receive a description of the RCR process annually so that they will know how to initiate the process and what it entails. The RCR process description will be posted in the members section of the ICP+P website and in materials for students and faculty at the beginning of each training course.

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Step By Step Phases of the RCR Process and Role Definitions

Outreach Coordinators (OC) Two or three point people who will be available to set the Restorative Conflict Resolution process in motion. They may work in pairs or individually. They will be trained for their role.

Facilitators Any member of ICP+P who wants to facilitate this reparative process. The Facilitators will be trained in the RCR process and in their roles, which are described in more detail in this document.

Step One: A member of the ICP+P community (as described above) contacts the RCR team. The Outreach Coordinator (OC) meets separately and in-person with each individual Initiator and Respondent. They listen empathically to the reason(s) the Initiator is requesting an RCR meeting and take notes. The OC checks with both individuals that they have captured an accurate description of the problem. They explain how the process will proceed prior to the meeting and during the meeting. Finally, the OC confirms that the individual wants to proceed with the process.

It is possible that one or both of the two individuals will not agree to the RCR meeting. The OC does their best to provide information, but not to press either person to participate if they do not want to, nor to ask them to explain why.

- All communication with the Initiator(s) and with the Respondent is confidential from the moment that one or both ask to initiate an RCR meeting. The OC will not share anything about the individual who initiates and their reasons for asking for an RCR meeting to the Respondent or Initiator other than the name of the person, and to no one else other than the Facilitators who will participate in the RCR meeting.
- Although the meeting with the OC is the first contact with each participant, it is not intended to be the start of the RCR process. The OC is an empathic listener who gathers information from both individuals without taking sides. Their job is a., to be sure to have a clear sense of the nature of the conflict or rupture in order to report to the Facilitators and b., to ensure that the participants are fully informed about the process and agree to participate.
- The OC describes what will be asked of them during the RCR process: use of “I” statements, active and respectful listening, and an intention to work towards repair. The OC inquires about accessibility needs and they will arrange to attend to those needs.
- The OC provides detailed information on the process and selection of Facilitators to each individual. Three Facilitators will lead the RCR

meeting. They are trained volunteers and members of ICP+P who will follow a protocol in order to facilitate the restorative process fairly. They will not resolve the conflict, mediate, offer therapeutic interventions, make judgments, come to conclusions, or try to influence outcomes. Further details about the role of the Facilitators are described later in this document. The process will be transparent and equitable. The work of repair and resolution is up to the two individuals in engaged in the RCR process.

- Each individual, Initiator and Respondent, may choose one person to be on the team of Facilitators from a list of RCR Facilitators. They may also request that someone not facilitate from among the list of volunteers, without giving a reason for their request. The third Facilitator is one of the other RCR volunteers who is available and has no involvement with the conflict or any other relationship with either participant that would make it hard for them to be neutral and helpful.
- It is imperative that a diverse group of ICP+P members in terms of age, race, ethnicity, gender, religion, professional or educational status, and disability be available to facilitate RCR meetings.. In the event that a participant finds no one among the list of Facilitators who they feel they can trust, the Facilitators will ask an ICP+P member of the participant's choosing to join the team of Facilitators. This person will be trained in the RCR process prior to the meeting.

The Outreach Coordinator sets a time and date for the RCR meeting within a short timeframe. The OC prepares brief statements on the reason for the RCR meeting for the Facilitators to review just prior to the RCR process.

Step Two

Prep for the RCR Meeting Shortly before the meeting Facilitators review the report together with the OC and decide which Facilitator will take the lead in each section of the process. They also discuss power differences between the two participants and steps they will take to assure that each person is heard and that the process is transparent and equitable.

The general task of the Facilitators is to facilitate the process. They guide each individual by listening actively and compassionately. They may highlight points of common ground that they notice or acknowledge when there is an impasse. The Facilitators encourage each person to speak and be heard with respect, to be acknowledged by one another, to express feelings with "I" statements, to decide if they think they can reach a resolution, and to work towards that resolution and/or to agree to amends. The specific role of the Facilitators is outlined in each phase of the process described below.

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The Meeting Begins

One Facilitator welcomes everyone and gives a short description of the process. They emphasize that the purpose of the meeting is to repair harm or conflict that arose in their relationship. Further they inform the participants that they value their responsibility as Facilitators and commit to facilitating a process that supports the participants' work, regardless of whether the participants reach a point of repair and amends.

The setting and tone is designed to be warm and welcoming. Participants are told that they can take a break at any time and ask for what they need from the panel to assist them to be as comfortable as possible during the meeting, including accommodations that would have been identified during the meeting with the OC.

Participants are told that each of them will be asked to first describe the situation to the Facilitators. During the second phase of the meeting they will have the opportunity to speak directly to one another about their concerns. In the final phase of the RCR meeting the participants will work together to resolve each of the issues of concern and/or to offer amends.

One member of the Facilitator team takes concise notes regarding the issues of concern and, at the end of the process, will write up the agreement and decisions the participants have made to make amends and prevent a similar conflict or rupture in the future. Either participant may also choose not to create a written record of their agreement. Their agreement is theirs to keep and will not be kept by the RCR team or ICP+P.

Ground Rules:

Each participant is asked to agree to the following ground rules.

- In the first phase of the meeting they will speak directly to the Facilitators.
- In the subsequent phases of the meeting they will interact with one another with guidance from the Facilitators.
- They both agree not to interrupt one another even when they disagree or don't like what is being said. Each participant will have a chance to speak.
- They will treat one another with respect.
- They agree that this meeting is confidential.

The participants are asked if they have any questions and if they agree to the ground rules before proceeding to Phase One.

Phase One:

Defining the Problem

The objectives of this phase are to define the issues and to build an atmosphere of respect, trust and cooperation necessary for the following phases of the meeting.

The Facilitators may have decided already that one way to address a power imbalance will be to invite the person who is in some way less powerful to speak first, if they wish.

Each participant is asked to give a brief description of the conflict, speaking directly to the Facilitators and facing them. The Facilitators listen carefully using active listening and showing that they understand their concerns. They observe the participants' body language and feelings that are being expressed or have not been expressed, but may seem present. They may ask clarifying questions without seeking details at this point in the process.

Clarifying the Issues

The note taker summarizes the issues out loud towards the end of this phase to check for accuracy while letting each participant know that they have been heard. Have the Facilitators missed anything or not understood precisely? Are there additional issues? If there is more than one issue, panelists address each one separately as these questions are asked.

Summarizing the Issues and Feelings

In summarizing the issues the note taker may mention similarities in concerns and feelings. If one of the participants acknowledges responsibility and/or offers solutions in this phase, the Facilitator acknowledges this and notes this to refer to towards the end of the RCR process.

Phase Two

The participants are now asked to speak directly to one another about what concerns them. If there is more than one issue, the Facilitators choose one to start with. This may be the one that seems easiest to resolve or the most concerning or central to the resolution of all the other issues. This will help the participants to focus. The participants are asked if they would be willing to start with whichever issue is suggested by the Facilitators to begin Phase Two.

We expect that strong feelings will emerge. The Facilitators help the participants talk about what each has experienced. Once again, the person with less power or authority may be asked to speak first if they wish. Careful attention is paid to a transparent and equitable process. The participants need to know at all times that the Facilitators are working for both of them, for the repair of their relationship and without an agenda.

The participants are encouraged to take their time and to continue asking questions of one another until the other person's point of view is better understood. They must be assured of the Facilitators' patience and the space each one has to express their views without interpretation or assumptions voiced by the Facilitators.

Facilitators acknowledge, validate, and affirm the feelings and issues that seem important to each participant. They ask questions and share observations that will focus or clarify the issue and allow feelings to surface. Some of the communication skills used in this process are: paraphrasing, checking and acknowledging feelings, asking each participant to restate what they are hearing from the other participant, ask them to "step into each other's shoes", and asking participants to use "I" statements. Facilitators acknowledge similarities and commonalities.

The Facilitators acknowledge any statement of progress, positive efforts by participants, and indications of improving understanding.

It is very important to avoid going straight to the last phase of the RCR process with a discussion of solutions. If one is offered, Facilitators thank the participant and tell them they will note it to be discussed when they reach that phase of the RCR process.

The conclusion of Phase Two happens when:

- Each participant understands that they each have issues that are important to them.
- They have a better understanding of one another.
- They are ready to decide whether to go forward to work out a resolution or not.

There are three possibilities at the conclusion of Phase Two. The Facilitators and participants will decide to move into Phase Three directly to conclude the RCR process. Or, if both participants want to work together to resolve the problem and repair their relationship, but wish to do so at a second meeting, then a second meeting is scheduled to occur within a very short timeframe in order to conclude

the process. Many factors may go into this decision such as concerns about loss of momentum or the strength of the process so far, or the energy level and focus of participants and Facilitators

The third possibility would be that this is as far as one or both participants want to go in the RCR process. In the event that the end of Phase Two is the conclusion of the process, Facilitators will ask each participant to acknowledge what they brought to the effort at resolution and repair. They are reminded that their hearing will remain confidential.

The RCR Team will prepare a one-page report that an RCR process took place without naming the issues or the individuals involved. This will serve the RCR team in its efforts to evaluate their work and improve the RCR process. It will note any significant feedback from participants relevant to the functioning of the RCR process and of ICP+P.

Phase Three

The RCR process continues either at the same meeting or at a date very soon after the meeting in which Phase Two was completed.

In this phase the participants may begin to understand how each other's behavior contributed to the conflict, or how the behavior of one person caused a rupture or harm to another. They are assisted by the Facilitators to acknowledge the conflict, rupture, or the harm that occurred. This may include discussing what they may have done differently and lead to acceptance of responsibility and accountability. The Facilitators acknowledge statements of responsibility that were made during the prior phases of the RCR meeting. When each participant has explored these questions to their satisfaction, the participants are ready to move to Phase Four.

Phase Four

Phase Four is very important. It will be the phase where accountability and amends come into the conversation. At this point, the participants should be able to propose workable solutions or amends with support from the Facilitators. The conversation will vary according to the reason for the RCR meeting.

I. Two Individuals reach an agreement to resolve a conflict

Facilitators acknowledge that participants have accepted responsibility and indicated that they want to be accountable. The final task is to come to an agreement that both will accept to repair the relationship and resolve the conflict.

Facilitators may focus first on an area where there is clear agreement that has already been expressed. They may also ask each participant “what is the area of conflict that is most important to you”?

Each participant is asked what they think is a fair way to resolve their conflict and a way to repair their relationship. Facilitators ask questions and use active listening to assist the participants. They summarize points of agreement and write them into the agreement, while checking with each participant to see if they agree that the suggested solution is workable, reasonable and fair. Facilitators do not offer suggestions until the parties are at a standstill. At that point they may offer some suggestions. If there is disagreement, they encourage more discussion.

Participants read and confirm the agreement. They identify what might make the agreement break down. Facilitators ask each participant what they can do to prevent this conflict from resurfacing and how they will prevent harm to one another in the future. What commitments can they make to one another? These are then added to the agreement. The two participants may also ask one another to make amends for harm done and these are also noted in the final agreement. Participants may also choose not to create a written agreement.

II. Two individuals reach an agreement to address harm, hurt, or rupture in a relationship.

When the RCR meeting is focused on harm, hurt or rupture in the relationship, Phase Four is focused on listening to the Initiator and asking what would let them know that the other person is taking responsibility for their actions and is willing to be held accountable and make amends. The Respondent is asked to speak about what they hear, accept responsibility, and either accept the amends that were requested and/or offer others.

The two participants also talk about what is needed to prevent this hurt, harm, or rupture from being repeated in the future. Their agreement will consist of the Respondent’s commitment to take responsibility and to make amends, and the steps that will be taken to prevent harm, hurt, or rupture in the future.

At the end of the process the Facilitators ask each participant to acknowledge what they brought to this resolution and repair, and what they heard from one another that made it successful or possible. They are reminded that their hearing will remain confidential. Together with the team of Facilitators the participants create a short statement of their decisions and commitments that will be theirs and will not be held by the RCR Team or ICP+P. Participants may also choose not to create a written agreement.

Conclusion

The individuals involved in the RCR process are asked to offer any feedback on the process itself and recommendations regarding the functioning of ICP+P that are pertinent. The RCR Team will prepare a one-page report that an RCR process took place without naming the issues or the individuals involved. This will serve the RCR team in its efforts to evaluate their work and improve the RCR process. It will note any significant feedback from participants.