

Resolving conflict in the workplace

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What we'll cover



Via a case study, we will consider:

- Why bother about conflict?
- How workplace conflicts may progress
- The legal framework
- The option of mediation
- Suitability of mediation
- Key conflict resolution skills

World view

- A story of conflict.....

A definition of conflict



- 'A condition between workers whose jobs are interdependent, who feel angry, who perceive the other(s) as being at fault and who act in ways that cause a business problem'

Daniel Dana: Conflict Resolution

Why bother about conflict?



- The CIPD's 2007 *Managing Conflict at Work* survey report found that on average organisations devote more than ??? days in management time a year in managing disciplinary and grievance cases
- The survey also found that employers face average annual costs associated with employment tribunal claims and hearings of £???

Conflict in the workplace



- Bob and Precious
- How might things progress?
- What might be the outcome for Bob and Precious?

The legal framework and the Acas Guide



- Gibbons Review
- Repeal of the Employment Act 2002 (Dispute Resolution) Regulations 2004
- Laid down the mandatory 'three step' procedure
- Replaced by a new framework in Employment Act 2008 – led to revised Acas Statutory Code of Practice on discipline and grievance

Support from ACAS



- Enhanced helpline
- Early conciliation

Workplace mediation



- **A confidential, voluntary and structured process whereby an impartial person facilitates communication between those in dispute in order for them to understand each other better and for them to come up with mutually acceptable solutions that will improve the working relationship in the future**
- **ACAS 2005 research: 'it was found that even the most intractable, longstanding and deeply emotive disputes benefited from mediation.'**

A mediation model

- Initial meeting with each employee:
 - opportunity to ‘tell story’
 - ‘vent feelings’
 - process explained

- Joint meeting:
 1. Introduction and ground rules
 2. Hearing what has happened (tell me what has been happening in your working relationship?)
 3. Identifying the issues
 4. Mutual understanding and communicating feelings
 5. Idea storming and generating win/win solutions
 6. Signing the voluntary agreement

Line managers as mediators – Angela's alternative response

- Suggests that she mediates in the situation
- Non-judgmental

Suitability of mediation

- Peter has sworn at his line manager and stormed out of the office
- Priti has left a vulnerable service user at the hairdresser's, as she needed to get some personal shopping. Her colleague is furious with her and the two are no longer speaking
- Gurdev believes that Paul is racist – Paul has made a number of comments about Gurdev's culture

Your role in dealing with conflict early – key skills



- Reflective listening and summarising
- Positions to interests
- Reframing
- Win/win problem solving
- Impartiality
- Option generation
- Encouraging closure
- Reining in own tendency to judge, managing how you feel about other people's behaviour



The mediation agreement

- Precious agrees to give critical feedback to Bob in private
- Precious will consider Bob's views when taking decisions and give feedback on the reasons for the decisions
- Bob accepts that Precious has responsibility for managing the department and for taking decisions related to this
- Precious and Bob agree to speak to each other in a respectful, co-operative manner and give feedback on this if necessary
- Bob and Precious agree that if difficulties arise in the future, they will discuss this at supervision meetings and refer back to the mediation agreement where necessary
- The follow up meeting with Angela, to see how the agreement is working out, will be arranged in 2 months time, if required.

- Signed..... Signed..... Date.....

Summary

- Mediation can:
- Be a way of resolving conflict via a win-win situation
- Help reduce the numbers of disciplinary and grievance situations
- Can help people to develop the skills and working relationships to resolve conflict in the longer-term

Finding out more

- ACAS/CIPD guide, Mediation: an employer's guide, at www.acas.org.uk or www.cipd.co.uk
- NCVO HR Guide: 'how to implement mediation', at www.ncvo-vol.org.uk/how-to-guides

Contact



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