CHAPTER 21

Perspectives on Managing Workplace Conflict

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INTRODUCTION

This chapter explores workplace conflict from an experiential perspective and seeks to show how a reframing of our perception of conflict can help us to create a framework for responding to and managing workplace conflict that is empowering and transformative for individuals and organisations.

PERCEPTIONS OF WORKPLACE CONFLICT

If asked to describe what constitutes workplace conflict, most of us would initially associate the word ‘conflict’ with experiences in our present or past working life that were negative, stressful or distressing. Those situations would most likely be characterised by a sense of frustration and powerlessness, and this would be true irrespective of whether we are in the role of a supervisor, manager or team member.

We would no doubt also be able to recall positive experiences of open communication where we felt heard and understood in the process of resolving our conflicts at work. These positive experiences of conflict would be characterised by a sense of shared power, trust and mutual respect, even though we may not always have achieved our preferred outcome.

In this sense, our experience of workplace conflict is not unlike our experience of conflict in our personal and family lives, in that whilst we do have significant and rewarding experiences of being able to work through our conflicts with each other; we still tend to have an over-riding perception of conflict as something undesirable, negative and difficult to deal with.
The following case study explores the question of whether a workplace that is relatively free of conflict can be regarded an indicator of a functional and healthy workplace and employee well-being.

**Case Study 1: The Power of Belief Systems**

Alan feels belittled by the way one of his colleagues, Bill, always criticises his ideas and input in front of the rest of the department and his line manager at their monthly meetings. He believes that it will only make things worse to say something about it as this will just make him look ‘thin-skinned’ and weak, neither of which he feels are ‘tolerated’ in his organisation. He has therefore decided after a few months of hoping that it will just stop, to ‘put up with’ it even though he can feel his confidence to speak up at meetings is all but gone.

**Discussion of Key Issues**

Alan’s decision to use avoidance as a way of dealing with this situation is underpinned by a number of powerful beliefs.

1. He believes that Bill’s actions are belittling.
2. He believes that communicating openly about the situation will make him vulnerable and worsen the situation.
3. He believes that his managers and organisation will not understand or support his concerns.

Ultimately it is Alan’s belief that dealing with the situation would result in a negative conflict and his desire to avoid that conflict that governs how he perceives his options for action. Perhaps even more importantly is the way in which this belief system is also a determinant for how the situation will evolve as it continues to impact on his sense of well-being at work and his ability to perform and make a contribution at work.

In answering the question above, it is clear that in this instance an absence or avoidance of conflict between Alan and Bill is not contributing to the organisation’s function or the well-being of its employees. If we go wider than Alan’s world view we can also see that there are other factors that are contributing to the evolution of this type of situation.

**CAUSES OF WORKPLACE CONFLICT**

There are many individual and organisational precursors or contributing factors in the development of workplace conflict. A summary of the most frequently reported precursors or factors has been provided below. In reality a given conflict situation may have been caused by one or a combination of these
factors and so the nature of that conflict situation may be straightforward or more complex.

**Individual Factors**

- Poor interpersonal process skills
- Lack of negotiation and/or assertiveness skills
- Diversity and differences
- Competing needs and goals
- Misperceptions and misunderstandings
- Inappropriate use of personal or group power
- Underdeveloped emotional competencies
- Internal emotional states
- Personal problems outside of work
- Conflicting values and principles
- Lack of job satisfaction
- Low self-esteem
- Alcohol or other drug-related problems
- Relationship problems
- Physical or mental health problems
- Language difficulties
- Lack of autonomy or ability to make choices at work.

**Organisational Factors**

- Flexible working practices
- Incomplete briefings and/or delegation
- Lack of team leadership
- Inappropriate management style
- Lack of training
- Office politics
- Ineffective conflict resolution processes or systems
- Lack of effective work performance management systems
- Over-reliance on e-mail communication
- Blame and shame workplace culture
- Overly competitive workplace culture
- Physical environment
- Poor information flow
- Unfair decision-making practices
- Lack of organisational due process
- Scarce resources
- Lack of clarity about roles
- Poor morale
• Promotion to people management roles on grounds of technical knowledge alone
• Lack of recognition
• Job design
• Lack of job security
• Unrealistic expectations
• Workload
• Power distribution.

THE NATURE OF WORKPLACE CONFLICT

In reality an employee’s experience of workplace conflict can be both negative and positive, and the factors that contribute to whether it is one or the other or a mixed experience are complex and multifaceted.

Before exploring these factors in more depth it is helpful to provide a brief overview of the levels of conflict or dissonance that tend to occur. These levels are indicative of the degree of internal feeling or emotion about the conflict that is being experienced by one or more of the parties.

Figure 21.1 (Weeks, 1994) summarises the levels of conflict that can be experienced starting with discomfort where nothing overt has occurred but the person affected has a feeling that something is not right. The next level can be described as an incident where an outward clash occurs but as yet the person affected does not feel any significant internal emotional response to the situation.

Once a conflict reaches the next level of misunderstanding one or more of the parties to a conflict has begun to hold negative images of the other but it is still relatively easy to resolve this level of conflict through information-sharing and open communication. However, when a conflict reaches the level of tensions

<table>
<thead>
<tr>
<th>Discomfort</th>
<th>Incidents</th>
<th>Misunderstandings</th>
<th>Tensions</th>
<th>Crisis</th>
</tr>
</thead>
<tbody>
<tr>
<td>nothing is said but things don’t feel right</td>
<td>outward clash occurs without significant internal reaction</td>
<td>parties have negative images of each other. still relatively easy to fix</td>
<td>negative attitudes &amp; stances added. fixed &amp; difficult to resolve</td>
<td>affects behaviour extreme gestures contemplated or executed. serious conflict</td>
</tr>
</tbody>
</table>

Figure 21.1 Level of conflict (Source: based on Weeks, 1994)
one or more of the parties has started to form fixed beliefs and positions about
the other person and it becomes increasingly more difficult to resolve a conflict
at this level.

At the final level of crisis the conflict may affect the behaviour of one or more
of the parties and extreme gestures are contemplated or executed which further
erodes trust and the opportunity to restore a healthy working relationship
between the parties.

Clearly not all conflicts start at the lowest level of intensity and move their
way up to a crisis as a conflict may stay at one level indefinitely and never
escalate or it may de-escalate and improve. Alternatively, because of the nature
of what has occurred, it may start at a very intense level and escalate very
quickly into a crisis.

In general terms however, we can describe the way in which a conflict
occurs over time as a continuum of conflict as can be seen in Figure 21.2

![Figure 21.2 Continuum of conflict (Source: modified from Tidwell, 1998)](image-url)
(Tidwell, 1998). On the vertical axis is the degree of negotiability or opportunity to negotiate a resolution, and on the horizontal axis is the amount of time that has elapsed with the level of intensity increasing over time the longer the conflict has continued to exist. What can be seen is that situations generally become more intense over time and so have a lesser degree of negotiability.

It is also important to appreciate that the point at which a given individual will feel a particular intensity of internal response to a conflict will vary. A conflict situation or issue that appears as trivial or inconsequential to one person may evoke intense feelings of anger, betrayal, injustice or hurt in another person. It is also very common for one party to feel distressed by something that is happening and for the other person to be unaware of this.

If we return to our case study of Alan and Bill it can be seen that this is what has occurred whereby Alan has not spoken with Bill about the way his behaviour is making him feel and it may well be the case that Bill is completely unaware of the impact his behaviour is having on his colleague.

Whilst such individual responses to a given situation vary greatly, in general terms it is known that situations involving inherent human needs such as individual and group identity, recognition or developmental needs tend to evoke powerful emotions and it is these unmet or unrecognised human needs which underpin intensely felt conflict situations. At the core of such conflicts a person may experience a sense of threat to their identity and begin to experience significant symptoms of distress or stress.

In any conflict situation there will be elements of both unmet human needs and the material or negotiable issues. As a conflict becomes more intensely felt over time the challenge in creating a resolution is to assess these elements as accurately as possible and then adopt the most appropriate approach that addresses both of these aspects.

Metamorphosis of Conflict

Building on the above idea of the evolution and escalation of conflict over time is the concept of a ‘continuum of behaviours’. In Figure 21.3 it can be seen that there are a whole range of behaviours that may contribute to the evolution of workplace conflict.

In any work group or team such behaviours will always arise and will vary in intensity and duration depending upon: the nature of the conflict, the make-up of the individuals, the collective history of the group or team and the skills and experience of the managers and others intervening in the conflict situation and the wider culture of the organisation.

Whilst a conflict may start at one end of this continuum involving behaviours that are seemingly minor or can reasonably be regarded as just a normal part of day-to-day working life, minor conflict situations have the potential to change or ‘metamorphose’ (Fortado, 2001) into far more serious conflicts involving
behaviours such as bullying or harassment and acts of retaliation, sabotage, physical assault or violence.

If a conflict is not handled through effective early intervention or is mishandled then the potential for this type of metamorphosis to occur increases especially where the conflict centres on unmet human needs and a high level of emotional intensity for one or more of the individuals is present.

In Figure 21.3 a wavy line is shown indicating that it is extremely difficult if not impossible to pinpoint or predict the exact point at which this change will occur. Case Study 2 further explores this phenomenon.

**Case Study 2: Metamorphosis of Conflict**

Claire was part of a team of specialist assessors working in a large insurance company. She had been in the job for a couple of years and was on her way to becoming a senior assessor. Until then she needed to collaborate still very closely with her colleagues in order to have certain reports signed off before they could be completed. Claire was very committed to her work but had a tendency to divert from company procedures and was not consistent in the way in which she recorded her work. The team of assessors were a very tight-knit group at work and socially but Claire was never really brought into the social group as she was seen to be a bit snobbish and often made remarks about politics or other topical issues around the lunch table that the rest of the group did not agree with and found off-putting.

Claire’s supervisor, Stefan, was very close to the rest of his team and also had a problem warming to Claire and did not really like her. Claire felt increasingly excluded from the group and when Stefan or the other team members needed to speak with Claire
about her work performance they were met by very emotional and defensive responses as Claire perceived this type of monitoring of her work as a form of persecution. Eventually Claire’s work performance began to suffer further as she was feeling distressed more often at work.

When things became too distressing Claire went off on stress leave and brought a formal grievance of bullying and victimisation against her supervisor and other team members. After a formal investigation the grievance was not upheld and Claire took the matter to the appeal stage where once again it was not upheld. She did not return from sick leave and eventually made a claim of constructive dismissal which resulted in a compromise agreement before it went to a tribunal hearing.

**Discussion of Key Issues**

The factors that contributed to the way in which this relatively minor conflict changed or metamorphosed into a grievance of bullying can be summarised as follows:

1. Claire was not finding it easy to be accepted by the group.
2. Claire had some issues with her work performance that needed to be addressed by her supervisor.
3. Stefan and the team did not like Claire and did not feel comfortable letting her into their social group.
4. When the work performance issues were raised with Claire she over-reacted as she was feeling distressed about her sense of exclusion from the group.
5. Claire’s over-reaction reinforced the group’s belief that Claire was a ‘difficult’ person to work with.
6. Stefan was unable to maintain appropriate boundaries between his friendship with colleagues and his role as a line manager and so did not provide an equal level of support to Claire.

The dynamic in this team is clearly a very important factor underlying the way in which this conflict escalated into a formal grievance.

For Claire what started as a sense of not fitting in with and being accepted by the group eventually metamorphosed into a much more powerful sense of being victimised and excluded. In this sense her identity within the group was at stake and it is this powerful unmet human need which intensified and escalated the conflict for her. For the group, their belief that Claire was not a good fit within their team created a sense of threat to the established group identity and so they saw it as a failure on Claire’s part to do what was needed to ‘fit in’ as opposed to anything they were saying or doing that prevented her from being a part of the group.

In addition, the way in which the situation was handled by the supervisor did nothing to change this dynamic or to prevent the escalation of the conflict within the team as Stefan was a part of that same group dynamic. In all likelihood, had
he been able to maintain appropriate boundaries and provide support to all of
his team members and manage Claire’s work performance appropriately, this
team would have learnt some valuable lessons about a diversity of approaches
and personalities within a team and Claire would not have lost her job.

NEGATIVE IMPACT OF ‘DYSFUNCTIONAL’
WORKPLACE CONFLICT

Where conflict is not responded to in a timely and effective way or where it has
escalated over time or has become entrenched it becomes dysfunctional rather
than functional. As a result a whole range of negative effects can be experi-
enced at an individual and/or organisational level. The most frequently
reported ways in which conflict can have a negative impact in the workplace
are listed below.

**Individual**

- Loss of commitment to job, workgroup and/or organisation
- Frustration, stress, anxiety or depression including physiological symptoms
- Strained or dysfunctional working relationships
- Increased use of prescribed medication or alcohol and other drugs
- Feelings of isolation
- Use or experience of harassment and/or bullying behaviour
- Loss of self-esteem
- Increased feelings of anger or a sense of injustice
- Feelings of betrayal
- Increased fixed positions, beliefs and behaviours with others
- Decrease in personal work performance.

**Organisational**

- Employee turnover
- Reduced productivity and performance
- Absenteeism and presenteeism
- Increased formal grievances and investigations or claims
- Acts of sabotage or revenge
- Increased injuries and accidents
- Increased occupational health claims
- Loss of creativity and innovation
- Employee relations problems
- Loss of management time
- Customer/client dissatisfaction.
RESPONSES TO CONFLICT

A Neutral or Functional Perception of Conflict

If we return to the opening discussion about our predominantly negative perception of conflict it is suggested that in order to respond more effectively to conflict we need to reframe our definition of workplace conflict so that it is neither negative nor positive but neutral. Workplace conflict is instead viewed as an outgrowth of diversity and differences and is a natural process of communication (Weeks, 1994).

In accepting the inherently neutral nature of conflict we can then start to move the focus away from what is often experienced as a disempowering pathology at the core of most conflicts. We can also stop investing energy in avoiding the potential negative consequences of entering into conflict with others or in intervening in a conflict and instead focus on how we can respond effectively and positively to those conflicts at both an individual and organisational level.

In this sense it is not the conflict in and of itself that is negative but the negative or positive aspects of certain behaviours and the way in which we respond to those behaviours that determines whether that conflict is a constructive or negative experience.

The key question then is whether or not the conflict being experienced can be seen as functional or dysfunctional. In other words: What can this conflict situation tell me about myself, my working relationships, my team or my organisation?

Whilst the answer to this question is ultimately subjective and value-laden it is suggested that in asking it of ourselves and each other we begin to improve our level of self-awareness and therefore our capacity to respond more effectively.

Positive Impact of ‘Functional’ Workplace Conflict

In contrast with the list above it is clear that where conflict is understood as a functional process and where individuals and organisations feel empowered to respond effectively and quickly then there are a whole range of positive outcomes that have been observed. When all of these outcomes are considered they translate into increased organisational and personal performance.

- Increased confidence and ability to problem-solve and negotiate with others
- Increased quality in decision-making outcomes
- Greater commitment to decisions
- Greater creativity and innovation
- Increased team or workgroup cohesiveness
- Greater self- and social awareness and ability to manage emotions and relationships at work
- Increased acceptance and learning about differences and diversity
- Increased use of shared power rather than I-versus-you power
• Increased level of self-responsibility whereby individuals take responsibility to have their job, team, function, organisation, the way they wish it to be
• Individual communication is more open, honest, transparent and vulnerable
• Individuals feel safe enough to try out new behaviours and take risks without fear of reprimand or put down by superiors or colleagues if they make mistakes
• Greater resilience of individuals, workgroups and the organisation as a whole
• Individuals are encouraged to work on the real behaviours/issues that need to change
• Individuals are encouraged to challenge themselves and support each other to both learn and grow
• Individuals feel valued and are inspired to give their very best effort on behalf of the organisation
• A more free and open and therefore less stressful working environment.

Resources for Responding to Conflict

An individual’s or organisation’s capacity to respond effectively and positively to conflict is dependent upon the internal personal and organisational resources available to create and support that response.

The following list provides a brief overview of some of the key resources that are utilised in response to workplace conflict.

- Self-awareness
- Resilience
- Social and interpersonal skills
- Natural style of handling conflict
- Communication processes
- Third-party interventions
- Policies and procedures
- Management intervention
- Informal problem-solving processes
- Formal processes and organisational due process
- Training, development and coaching
- First contact or harassment contact schemes
- Employee assistance or welfare support
- Occupational health units or services.

A FRAMEWORK FOR MANAGING WORKPLACE CONFLICT

Clearly there is no one correct way to respond to all workplace conflict as each conflict situation will present its own unique set of issues and challenges. There must then be an ability to be flexible and adaptable if our responses and
interventions are going to be consistently effective. Whilst there are no
guaranteed solutions it is not enough however just to get by on our intuition
and pragmatism as this will undoubtedly lead us into great difficulties. We
therefore need a framework within which we can discover what works.

In arriving at a framework for how to respond to and manage workplace
conflict the following elements need to be considered.

Power Imbalance and Organisational Due Process

Since October 2004 employers in the UK have had to put in place and follow
minimum statutory grievance and disciplinary procedures. In our view
irrespective of the legal requirement to comply with this legislation, it is
essential to have in place a robust and meaningful set of complaint- or
grievance-handling procedures as this forms the baseline for the way in
which organisational due process is communicated and managed within an
organisation.

Underpinning the need for this is the fact that the employment relationship
has an inherent power imbalance and so all employees need to know that
natural justice is enshrined in an organisation’s policies and procedures. For
these procedures to be effective they must be: institutionalised, perceived as
equitable, easy to use, visible and well known, consistently applied to all and
demonstrate in practice that employee rights will be upheld and acted upon
(Ewing, 1977).

In addition, it is our recommendation that a separate and simplified
complaints procedure be implemented for complaints dealing with allegations
of bullying and harassment so that the employees involved are not compelled
to discuss distressing aspects of the complaint at numerous stages of a
grievance procedure before reaching a satisfactory conclusion.

Informal Communication and Problem-solving Processes

Most grievance procedures will contain an informal stage, however in our
experience a minority of organisations provide any indication as to how this
informal stage should work and, whilst more employers are beginning to
introduce some form of workplace mediation or informal processes for resolv-
ing conflict before it progresses to a formal grievance, this is not yet
recognised as a mainstream approach.

In the face of an increasing number of protected categories of employment
rights and in an effort to get it right and avoid potential risks, many managers
may feel lacking in confidence or skills to even attempt to intervene in
workplace conflict and so would rather have the matter dealt with on a
formal basis. The danger is that this response to the legislative framework will
lead to an over-reliance on a ‘compliance approach’ in managing workplace
conflict.
This has been highlighted by the recent review of the Employment Act 2002 (Dispute Resolution) Regulations that came into force in 2004. Whilst these regulations were intended to encourage parties to resolve disputes as early as possible the headline finding of the recent review of these regulations by Michael Gibbons is that ‘rather than facilitating early resolution of disputes the Regulations have exacerbated and accelerated disputes’ (Gibbons, 2007). His key recommendations are that these regulations should be repealed and that all employer and employee organisations should be ‘challenged to commit to implementing and promoting early dispute resolution, e.g. through greater use of mediation, early neutral evaluation and provisions in contracts of employment’ (Gibbons, 2007).

A template for a Workplace Informal Problem-solving Process has been provided at Appendix 21.1.

The most effective way of preventing the incidence and escalation of conflict and in empowering employees to find their own solutions is to develop and utilise good informal and problem-solving processes and interpersonal process skills. We need to get past the fear of ‘walking on eggshells’ with respect to our differences with each other at work and past the fear of making a mistake as managers and accept that being good at responding to conflict means being open to learning about ourselves and our organisations.

It also means being given the opportunity to assess our own strengths, weaknesses and competencies and identify areas for change within our organisations. We have to have the opportunity to make judgement calls and learn what works and so become good self-managers and interveners in conflict.

CONCLUSION

Even where an organisation has every resource available to it and good procedures for managing conflict and can say that they have ticked every box, if they do not have ‘empowering cultural practices’ (Gershon, 2006) within their organisation then they will still feel frustrated in their efforts to bring about the desired change in behaviour and find lasting solutions.

This means that an organization must work proactively at creating an environment within which people feel encouraged to take responsibility for creating solutions and feel safe enough to communicate openly about what the real issues are. It must also be a place where individuals are encouraged to learn and grow through conflict and so feel empowered to transform their problems into a way forward.

Summary of the Framework

1. Assess the situation: what is the nature of the conflict? Are there any unmet human needs involved? How much negotiability is there?
2. Understand the social, structural and statutory influences and implications.
3. Assess the response to the conflict:
   a. Is the conflict functional?
   b. What are the sources/causes?
   c. Do the conditions exist for resolution: opportunity, capacity, willingness?
   d. What are the best methods for handling the conflict? Informal or formal?
   e. Implement and then review the resolution or agreed approach.

4. Avoid counselling employees about personal problems that are impacting on work performance or contributing to the conflict; refer them on.

5. Make extensive use of informal communication, problem-solving processes and interpersonal process skills.

6. Utilise specific grievance or complaints procedures where appropriate but do not over-rely on a compliance approach.

7. Ensure that natural justice and due process are built into and observed in every process and intervention that is used.

8. Observe appropriate boundaries such as confidentiality and impartiality.

9. Underpin everything with empowering cultural practices.

APPENDIX 21.1

Template for Workplace Informal Problem-solving Process

1. Employees to speak with each other in the first instance about the issues and attempt to arrive at a workable solution.
   a. Clearly employees do not always feel that it is possible to speak directly with the person they are experiencing problems with for a whole range of reasons including that they may feel unsafe or may be concerned that in doing so they may make the situation worse.
   b. This step is therefore very much dependent upon the nature of the problem/issue/dispute with the other person, their past history with each other and their respective skills in communication and problem-solving.
   c. However if it is encouraged as a part of the wider culture within the organisation through the support, training and development provided by line managers the more comfortable and competent employees will become in resolving their problems with each other without intervention.

2. Where the employee feels unable to speak alone with the other colleague(s) involved in the issue then they are to raise the issue with their line manager. Where the issue involves their line manager then the employee may raise the issue with their line manager’s manager.
   a. Where employees have come directly to their line manager without attempting to resolve the issue with their colleague it is always important to explore this option with employees in the first instance so that their reasons for not doing so can be identified.
b. Depending upon the circumstances it may be possible to provide some
minimal coaching to the employee and assist them in feeling more
confident about making an approach to speak with their colleague(/s).

3. Where the manager/s(s) assess that the issues raised invoke a duty of care
or operational issue then they will need to intervene even though the
employee may have asked that nothing be done by the manager.
   a. At this point in the process it may become apparent that the issues are
   such that the line manager needs to take advice from a more senior
   manager and/or Human Resources (HR) in which case they should
   advise the employee that this will need to take place.
   b. In doing so the line manager should also indicate that they will only
disclose as much information as is absolutely necessary to seek gui-
dance and that they will come back to the employee and let them know
what if any action is to be taken by management prior to that action
being taken.

4. Where there are no duty of care or operational issues and the manager does
not need not to intervene the employee is to agree with the manager about
what action they will take to resolve the issue with their co-worker/s(s).
   a. It is essential that, even where the manager is not to intervene in the
   situation, that the manager has a clear understanding with the
   employee about what action that employee is going to take.
   b. Managers should not leave a discussion with an employee about a
   problem they are having with a colleague without agreeing what the
   next step will be even if this next step is that having discussed the issue
   with their manager the employee is going to go away and think about
   what to do next.
   c. The goal here is to achieve clarity about what is to happen next and who
   is to act next and what that action is to be.

5. Options for action include one or a combination of the following depending
upon the issues involved:
   - Manager meeting informally together with all of the employees involved
to facilitate discussion and resolution
   - Manager informally meeting separately with the employees involved
   - Employees meeting alone together without their manager to arrive at a
   resolution
   - Issues dealt with by manager at a team meeting
   - Employee/s(s) referred for counselling/other support
   - Issues to be dealt with at mediation using trained internal or external
   mediators
   - Issues dealt with by manager or colleague/s(s) using formal procedures.

Managers will need to make their own assessment in consultation with the
employee/s(s) affected and possibly a more senior manager and HR about
which of the above approaches will be most suited to the situation and of
course an approach may be adopted whereby a number of these options for
action are carried out over time.
6. Irrespective of what action is taken the option of taking no action is not recommended as to take no action will contribute to the development of misperceptions, misunderstandings and escalated conflicts.
   a. This reinforces the point discussed at 4 above and is meant to ensure that employees do not go away believing that by just telling their line manager about a problem that this makes it their manager’s problem now even though nothing has been agreed on what will be done next and who is to do it.
   b. This is intended to reduce the opportunity for misperceptions and misunderstandings about what is expected by both the employee and the manager.

7. It may be possible that, after having an informal chat with the line manager, that the employee feels that they have satisfactorily clarified the issues of concern and that the matter has been resolved without the need for them or their manager to take any further action.
   a. As indicated above it is possible that an employee will feel that by speaking through the issues with their manager they have been able to clarify their position and now feel less troubled by the problem they are experiencing.
   b. What is to be avoided is a situation developing in using this process whereby employees feel that they can no longer just have a chat with their manager without wanting anything further to happen.
   c. This needs to be balanced against the importance of not allowing a situation to escalate and so in such situations it is still important for the manager to follow up with the employee and ascertain what progress has been made.
   d. If the employee reports that the problem has not been resolved but that they are still considering what to do and do not want the manager to intervene ([and there are no duty- of- care or operational issues]) then the manager will need to use their judgement to identify a way forward as it is important not to allow conflict situations to develop over a protracted period of time without any intervention or resolution.

9. All issues and agreed actions are to be followed up by the manager with the employees concerned to ascertain if progress has occurred.
   a. Managers should always ensure that, irrespective of what is agreed with the employee, that a follow- up discussion is held to gauge progress and ascertain when a resolution has been reached.

10. Communication is to be on-going and open-ended until such time that the matter has been resolved.
b. A brief diary note of these informal discussions, their outcome and a note of the follow-up dates should also be kept by the manager.

c. However minutes should not be made or kept of any informal meetings or discussions as this will undermine the importance of the informal nature of these discussions.

d. It is essential that managers follow through on agreed actions and follow up discussions with employees so that the process gains credibility with staff and so that a consistent approach to problem-solving is developed.

11. It is not acceptable for employees to avoid normal day-to-day communication/interaction with any member of staff as a way of avoiding or preventing conflict.

a. All employees need to accept that they must from time work alongside people who they may not like and may wish to avoid and that this can be one of the challenges of working in a diverse workplace.

b. Where it is apparent that certain employees are unable to maintain normal and civil communication with each other on a day-to-day basis then these situations will require that managers intervene so that those employees can be adequately supported, coached or counselled in the interpersonal skills necessary to maintain a civil working relationship with each other.

12. Employees are also able to seek advice/support from their union reps, welfare support, HR and harassment/first contacts.

a. Even though employees may disclose problems of a personal and private nature to their managers during the course of an informal conversation about problems they are having at work, managers must not attempt to counsel employees about such matters.

b. The focus here is for managers to offer appropriate support to the employee and make any necessary referrals.

c. Where these private problems are adversely affecting their work performance then managers will also need to work with the employee on how they can improve their work performance.

d. Employees may also present with problems that are work-related which could be more appropriately dealt with under another policy or procedure and in these instances managers can assist by obtaining relevant information or in making an appropriate referral to someone else within the organisation.

ADDITIONAL GUIDANCE ON CONFIDENTIALITY AND DUTY-OF-CARE ISSUES

As all managers know, British occupational health and safety law requires that anyone who becomes aware of something that is a danger to the physical or psychological safety of a fellow employee has a ‘duty of care’ to report such information to someone who has the authority to deal with it.
Clearly line managers are not expected to have the answers or know how best to intervene in every situation that arises and so from time to time in order to ensure that best practice is being followed line managers may need to consult with or seek advice from a more senior manager and/or HR.

Where such issues arise and managers believe that the employee or other colleagues may cause harm to themselves, others or the organisation then such a duty of care may exist and the relevant details may need to be disclosed to others as determined by the line manager in consultation with their manager.

In other instances the employee may share information with their line manager that leads the manager to believe that managerial or operational procedures within the given division/department may be significantly compromised or impacted upon. An obligation may therefore exist to disclose the relevant details to others in consultation with their manager.

Even though employees have indicated that they do not wish anything to be disclosed or acted upon, managers will need to explain their duty-of-care obligations and assure the employee that any disclosures will be minimised so that only the information which is pertinent to the immediate situation is reported.

Where such disclosures are to be made to others the line manager will also consult with and inform the employee beforehand.

Where it has been determined by a senior manager and/or HR that further action will be required the employee will be advised of this before hand and informed as to what will be discussed, with whom and when this is to occur.

The underlying approach throughout the handling of such situations is to ensure at all times that situations involving potential bullying or harassment especially are not unnecessarily exacerbated and that conflicts are not escalated further.

REFERENCES


