

Managing conflict at work



booklet

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Managing conflict at work: *introduction*

Conflict at work takes many forms. It may be that two workers simply don't get on; or that an individual has a grievance against their manager.

Conflict may take the form of rivalry between teams; or it may be apparent by the lack of trust and cooperation between large groups of employees and management.

How do you manage this conflict so that it has a positive rather than a negative impact on your workplace? To prevent conflict leading to strikes or employment tribunal claims¹ you need to intervene as soon as possible. Mediation is being increasingly used as a way of providing a positive outcome to conflict.

About this booklet

This booklet gives you an overview of how to manage the relationships in your organisation between individuals, teams, and larger groups of employees.

It will help you prevent future conflict and minimise the impact of ongoing conflict.

For information and advice on negotiating with unions and setting up representative groups of employees see the Acas booklet *Representation at work* at www.acas.org.uk/publications.

1 Refer to Appendix 2 which outlines important changes to making Employment tribunal claims

Your six step guide

The advice in this booklet is based on answering the following six questions:

1	What are the signs of conflict? The sooner you see the signs, the sooner you can intervene and resolve the problem.
2	Who is in conflict? This question is easy to answer if you have a good relationship with your employees. Do they come and talk to you or do you rely on a 'gut feeling'?
3	What is causing conflict? The real causes of conflict can be deep lying. Once you've identified the cause you may have to distinguish between someone's 'position' – what they want – and their 'interests' – why they want something.
4	How do you manage conflict? Some basic policies and procedures can help you manage conflict – such as a procedure for handling grievances. There are also some useful techniques you can use – for example the 'problem-solving cycle'.
5	Do you need help? To end conflict someone – and, often, more than one person – has to change the way they behave. You may need skilled help to achieve this.
6	How can you prevent future conflict? Acas has summarised 11 key principles for running an effective organisation based on cooperation and trust. These include listening to employees, treating them fairly and looking after their health and safety.

About Acas

Acas is an independent, mainly publicly funded organisation. For over 30 years we have been:

- resolving conflict between individuals, teams and groups
- promoting the use of employment policies and procedures that help prevent conflict, improve employment relations and lead to more efficient and effective organisations.

We are a practical organisation. We have worked with businesses of all sizes and from every sector. We are also:

- impartial and do not 'take sides'
- independent and unbiased – our Council is made up of small business leaders, academics and leading figures in the TUC and CBI.

If you would like to talk to an Acas mediator or find out about our training or publications call the Acas Customer Services team on 0300 123 11 50 or visit www.acas.org.uk.

What are the signs of *conflict?*

Some signs of conflict will be very visible. For example, you might:

- witness a heated exchange between colleagues
- attend a meeting between management and employee representatives that turns into a stand-off.

However, not all forms of conflict are so obvious. Some individuals might hide their feelings as a way of coping with a problem; while a team might react to pressure by cutting itself off from the rest of the organisation.

How long has it been going on?

The quicker that you recognise there is a problem the better. Conflict that is ignored can often escalate. Spotting conflict at an early stage gives you a better chance of:

- identifying the underlying causes
- reaching a sustainable agreement
- resolving the conflict.

Symptoms of conflict

Before conflict develops people may simply feel unhappy about colleagues or issues that are troubling them. You might notice the following symptoms:

- **motivation** drops: fewer people volunteer to take on new tasks and there is little employee input at team meetings or briefings
- **behaviour** changes: people start to make derogatory remarks towards each other and there are fewer social events organised
- **productivity** falls: there are likely to be more queries and complaints if people are not cooperating with each other
- **sickness absence** increases: unhappiness may lead to depression or stress
- **responses to staff attitude surveys or questionnaires** indicate underlying dissatisfaction.

Some of the symptoms – such as absence levels – can be measured and monitored. Recognising other symptoms often relies on how sensitive you are to the atmosphere within an office or workstation. For example, instead of talking through differences of opinion are employees sending angry emails to each other?

As a manager you are more likely to be able to interpret the behaviour of your employees if you have regular channels for open communication and consultation. By listening to the views of your employees at an early stage – before issues become potential problems – you can gauge future reaction to proposed changes.

Reading the signs

Some managers will find it easier than others to pick up signs of conflict. There is often an element of doubt. For example, is a row between a manager and an employee a symptom of some deeper problem or are they just having an off day with each other?

Employee feedback forms or questionnaires may also help you to put in place preventative measures to stop future conflict arising. See 'How do you prevent future conflict?' p24.

How do you respond to conflict?

There are three common responses to conflict – which way do you respond?

Fight	You react in a challenging way. At work this might mean shouting or losing your temper.
Flight	You turn your back on what's going on. This is a common reaction – by ignoring a problem you hope it will go away.
Freeze	You are not sure how to react and become very passive. You might begin to deal with the issue but things drift or become drawn out through indecision.

These three reactions are almost instinctive.

However, in this booklet we explore a fourth approach to conflict – **Face** it. This means approaching a problem in a calm and rational way with a planned approach.

A problem-solving cycle can help you face problems – see p17 for more details.

Who is in *conflict?*

Conflict tends to fall into two broad categories:

- **conflict between individuals** involving:
 - colleagues
 - employees and their managers
- **conflict between groups** involving:
 - teams
 - large groups of employees and management.

Conflict between individuals *Colleagues*

Everybody will, at some time, have problems or concerns with someone else at work. An individual might feel angry or upset about a colleague. There may be:

- a clash of personalities
- strong differences of opinion over work
- an 'overspill' from personal issues outside work.

Conflict between work colleagues can often lead to accusations of bullying or harassment. Good managers should always be ready to talk. Try to create a climate of open

and positive dialogue. If an employee feels able to approach you at an early stage, then problems can often be nipped in the bud before they become formal grievances.

An employee and their manager

What if you are a manager and the conflict involves you? It is not always easy to identify potential conflict if you are seen to be the cause of it. An employee may feel that:

- your management style is too authoritarian or too weak
- you favour other work colleagues when you assign tasks.

An employee may talk to you about how they feel, or they may suddenly confront you with a list of grievances. It can be hard for employees to express their concerns with senior colleagues. If they feel unable to talk to you they may go to another manager or an employee representative. See p3 for more signs of conflict.

Conflict between groups

Teams

The way a team works can be quite complex. There are often subtle balances between personalities and work responsibilities to be maintained. Conflict within teams, or between teams, can often take the form of:

- **rivalry** between colleagues
- **disagreements** over a team's goals or shared values
- **resentment** that one team is not pulling its weight.

A lot has been written about the way teams form and develop. In the 1960s Dr Tuckman, an educational psychologist, developed a model to describe the way groups behave as they work together. Tuckman's model identifies four distinct phases:

- **forming**: the team is uncertain how to proceed and behaviour is often reserved
- **storming**: the team often argues about who should do what and how
- **norming**: the team agrees its core tasks and individual roles within the team
- **performing**: the team operates along the agreed 'norms'.

It is in the 'storming' phase that conflict is most likely – as people form cliques and jostle for position. However, this conflict is essential to the development of a successful team.

Groups of employees and management

Conflict between groups of employees and their employers is often characterised by the classic 'us and them' mentality. You may be aware of:

- a **general resentment** or anger towards senior management
- **poor morale** and **low levels of motivation**.

Conflict may become focused on specific issues. For example, groups of employees may feel very strongly about:

- health and safety
- rates of pay
- redundancies
- lack of proper consultation.

It is not always possible for managers to talk to every individual affected by such broad issues. It may help to form representative groups with employees to work through these and other ad hoc problems. These groups are often called 'task groups' and are made up of employee representatives and senior managers. See 'working groups' on p16 for more details.

What is causing the *conflict?*

Some of the issues that can cause conflict between individuals and groups at work include:

- poor management
- unfair treatment
- unclear job roles
- inadequate training
- poor communications
- poor work environment
- lack of equal opportunities
- bullying and harassment.

These issues can be the direct cause of conflict – for example, you may have to look no further than discrimination or bullying in the workplace. However, the causes of conflict can lie dormant for years – only to suddenly flare up. Conflict can be sparked off by:

- the **personalities** involved
- our changing **needs and expectations**
- ignoring common **values**

- unresolved **problems from the past**
- increase in **workload**.

Did you know?

It is illegal to discriminate against an employee on the grounds of sex, race, disability, sexual orientation, religion or belief, gender reassignment, civil partnership and marriage, pregnancy and maternity, and age. For more information visit www.acas.org.uk or contact the Acas Equality Direct helpline 0300 123 11 00.

Personalities

Personalities can exert a very strong influence in the workplace. Yet it is not always easy to predict how an employee will:

- **express their feelings** when they are upset or angry
- **change their behaviour** in difficult or stressful situations.

The 'personality mix' within a team can be upset when a new member of staff joins or if two colleagues suddenly fall out. If individuals are

upset or unhappy they are more likely to become frustrated by the kind of issues listed opposite.

Individuals may also respond to difficult or challenging situations in a stereotypical way. This can be a result of '**learnt behaviour**'.

Learnt behaviour is often a mixture of:

- the way you have been taught to behave
- the behaviour you have copied from other people
- a strategy you adopt to cope with problems.

Needs and expectations

We all have needs at work. These often include:

- a flexible work routine
- a safe and healthy working environment
- personal development and training
- a fair rate of pay.

The way these needs are met often become our expectations for the future – how we hope to be treated and what changes we expect to happen. Conflict at work can often be caused when employers ignore

the needs of employees or set unrealistic expectations.

For example, arranging hours that make it difficult for employees to carry out their childcare responsibilities or expecting them to work late without prior warning.

Values

Most people have very clear ideas about what they think is fair. These are partly a reflection of personal values. However, in society we also have shared values – and many of these are associated with the idea of '**natural justice**'.

Natural justice refers to certain fundamental principles of justice that many of us deem to be fair. Conflict often occurs when we neglect our duty:

- to give someone a fair hearing
- to explain the reasoning behind a decision
- to be impartial
- to hear an appeal against a decision.

Your organisation's procedures and policies must include key aspects of natural justice.

Unresolved problems from the past

Unresolved problems from the past can often make it very difficult for managers to distinguish between:

- **'demands'**: what an individual or group wants, and
- **'interests'**: why an individual or group are making these demands.

For example, an employee may complain that their manager has an 'aggressive' style of management. They might demand to be moved to another team. However, why does the employee really want to leave? Is it the manager's management style or do they have other reasons?

Over the years the employee may have been turned down for various training opportunities. They might blame their manager for their lack of career progression.

The deep-rooted causes of conflict can often be linked to a desire by individuals or teams to 'get back' at each other for past grievances.

Increase in workload

Sometimes conflict is caused because people feel they are being pushed too hard and 'something has to give'. An increase in workload is not the only change that can make employees view the organisation more critically. Other triggers may be new:

- products
- organisational targets
- appraisal systems
- pay systems.

Change can make employees feel vulnerable and uncertain. They may be worried that their roles and responsibilities will change or that their career prospects will suffer. Employers who fail to consult their employees about future changes can cause them to feel alienated and more likely to raise grievances.

How do you manage

conflict?

Develop a strategy

Develop a strategy for managing conflict in consultation with managers, employees and your representatives. This should cover:

- **How you will prevent conflict** based on sound policies and procedures, good communication and consultation, the role of line managers and the training and development you will give them.
- **How you will manage conflict** including:
 - procedures for handling individual grievances and conflict with groups of employees
 - when you will and will not intervene (problems sometimes sort themselves out and can be made worse by intervening when it is not necessary)
 - the role of working groups and consultative committees.
- **When and how you will seek outside help** – for example using mediation or conciliation where it is impossible for parties to gain agreement on their own.

- **When a dispute may be referred to a higher authority.**
Occasionally, to prevent a damaging dispute lingering on you may wish to refer to a higher authority such as an arbitrator or even a court of law. This may create ‘winners’ and ‘losers’ and your strategy should cover what you will do subsequently to repair any harm done to relationships.

Managing conflict between individuals

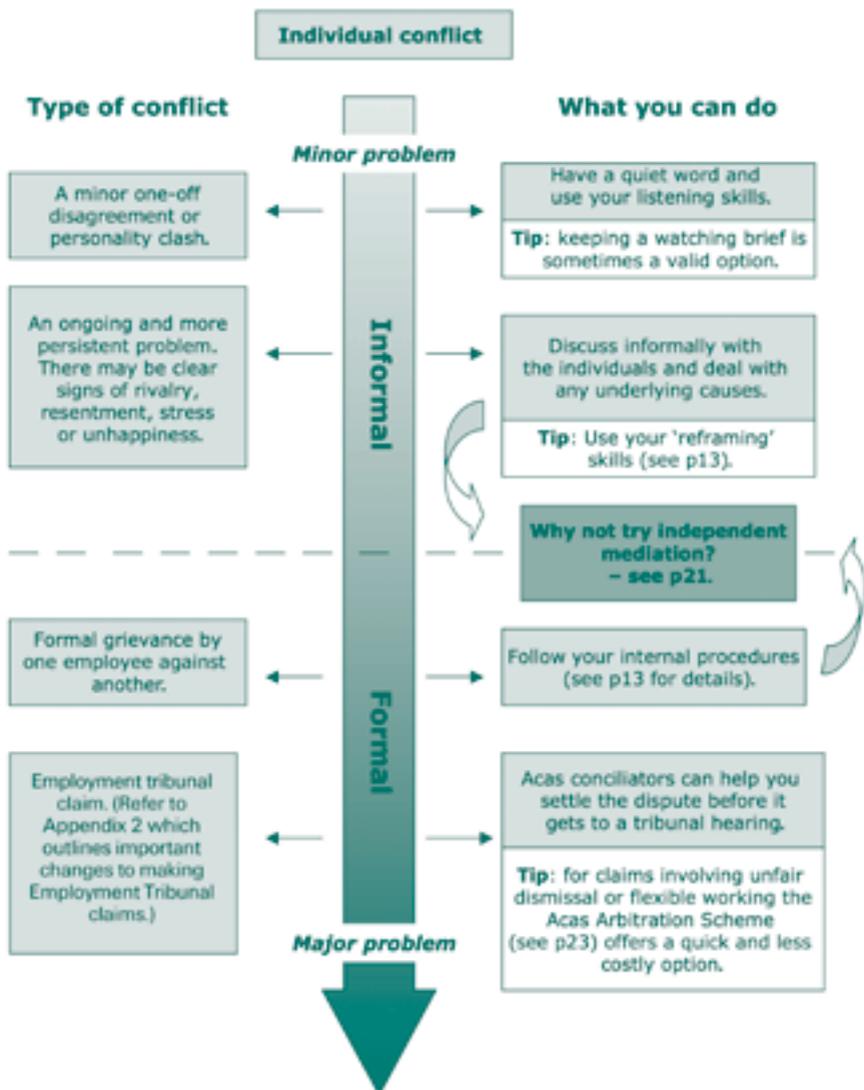
1. Have a quiet word

In many disputes between individuals (see the chart ‘individual conflict’ overleaf) there is a clear transition from an informal to a formal stage in the conflict.

The informal stage often involves simply talking, and listening, to employees. Giving people the time and space to express their feelings and concerns can often help to clear the air.

Employees also need to know:

- who they can go to if they have a problem at work
- that their concerns will be taken seriously.



It helps if there is a culture that encourages employees to express their opinions.

2. Investigate informally

Don't make quick decisions based on a 'gut feeling' about what is going on.

Take the time to talk to colleagues and gather any relevant information about those involved. For example, you may need to talk to personnel about an employee's absence record. Or a colleague or supervisor may be aware of any personal problems affecting an employee's performance.

Checklist

You need to :

- ✓ **train managers** to handle difficult conversations with employees
- ✓ have clear **discipline, grievance and dispute procedures** for dealing with conflict
- ✓ consider **outside help** where necessary
- ✓ encourage open expression of **opinions**
- ✓ recognise the importance of **feelings**
- ✓ **listen** to what people have to say
- ✓ focus on **interests** not positions and personalities.

Also, be clear about your role in resolving the conflict and what you hope to achieve. Most people involved in conflict will have their own ideas about what they would like to happen, but what would be a reasonable outcome for everyone?

3. Use your internal procedures

If an employee makes an official grievance to a manager then the conflict has moved towards a more formal stage.

If this happens you need to be able to fall back on company procedures for dealing with grievances – as well as issues like bullying, absence, and misconduct.

If you currently have procedures in place then review them to make sure they are up-to-date. They should be regularly communicated to staff, discussed at team meetings and individual appraisals, where appropriate, and included in induction and training programmes.

Why not include mediation as a stage in your internal procedures? Mediation can be used at any stage during conflict – by managers within your organisation or from outside. See p21 for more details.

4. Upgrade your skills

Having one-to-one conversations with employees and managers requires a great deal of sensitivity and empathy. You need to:

- **listen** to what employees say and try and pick up on any underlying causes of unhappiness or stress
- **question** employees in a measured and calm way, putting them at ease and giving them the chance to speak freely
- **reframe** what's been said so that problems can be seen in a different light
- **build teams** by making connections between the interests of the individual and that of the team or company
- **lead** by example and set the right tone for the way people communicate with each other
- **respect diversity** and put in place an equality policy (see the Acas guide *Delivering equality and diversity*).

Training can help you to review your skills. You should also keep up-to-date with the latest changes in employment law. Acas runs training sessions on a wide range of issues – including absence, stress and equality (for more details visit www.acas.org.uk/training).

5. Consider getting help

Managing conflict between employees is often about understanding the **perceptions** one person has of the other.

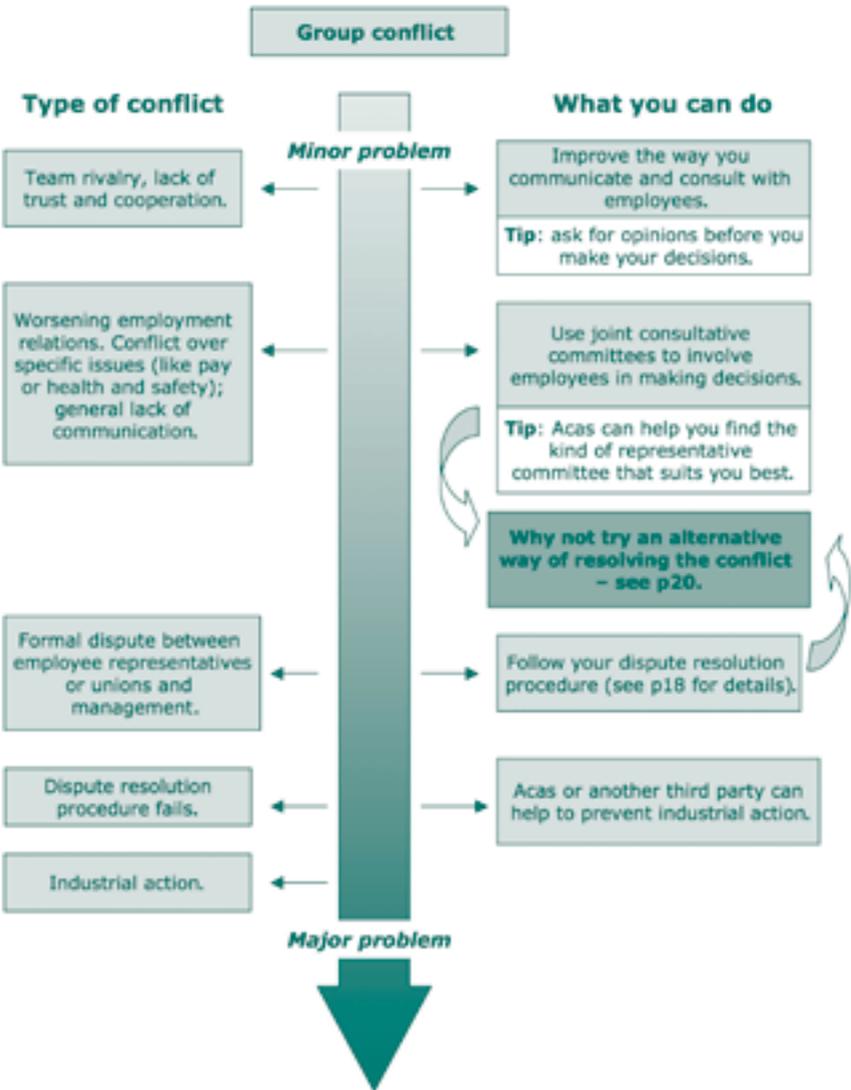
Perception is the process of interpreting the information that we gather about other people – through listening, talking, observing and general interaction.

Dealing with these perceptions can sometimes test a manager's people management skills to the limit. You may need special training – or the skills of an outside party – to successfully manage conflict (see p20 for more details).

A skilled mediator could help you deal with some of the complex inter-personal problems often associated with managing conflict. Because they are not emotionally involved in the problem they can often take an objective, unbiased approach to what's happening in your organisation.

Perceptions can be made up of:

- first impressions
- specific 'high impact incidents'
- other people's opinions
- rumours or gossip
- associations (for example, a colleague may look or behave like a friend you've just fallen out with).



Managing conflict between groups

1. Improve the way you communicate and consult with employees

To successfully manage any group conflict you will have to make some difficult decisions – about issues like pay, working practices and organisational rules and procedures.

To help you make these decisions you should get the views of your employees (see the chart on 'group conflict' on p15).

Checklist

You need to:

- ✓ Ensure that **communication** between managers and team leaders, employee representatives or unions is timely, relevant and concise
- ✓ Check your systems for **consulting** with employees complies with the law
- ✓ Use **dispute resolution procedures** for dealing with conflict where necessary
- ✓ Promote **joint decision-making**
- ✓ Use a **problem-solving cycle** to help identify your options.

Start by reviewing the way that:

- information is **communicated** to employees
- employees are **consulted** before decisions are made.

You are legally obliged to consult with employees or employee representatives on the following subjects:

- health and safety
- redundancies
- business transfers
- works councils
- occupational pensions.

For more information see the Acas guide *Employee communications and consultation* at www.acas.org.uk/publications or contact the Acas Helpline 0300 123 11 00 (Open Monday to Friday 8am-8pm and Saturday 9am-1pm).

2. Form representative structures

You may not have the opportunity to talk to every employee individually. This is why employee representatives can play such a vital role.

They can act as useful sounding boards – keeping you in touch with the feelings and opinions of your employees. Many organisations have established representative systems for dealing with the kind of issues – such as pay or redundancies – that often cause potential conflict. These include:

- **working groups** set up to consider particular issues such as absence levels, working patterns or the introduction of new technology

- permanent consultative groups, often called **staff councils** or **consultative committees** to regularly look at issues such as company prospects, new products, staffing levels and training
- **collective bargaining** where employers negotiate terms and conditions of employment with trade union representatives.

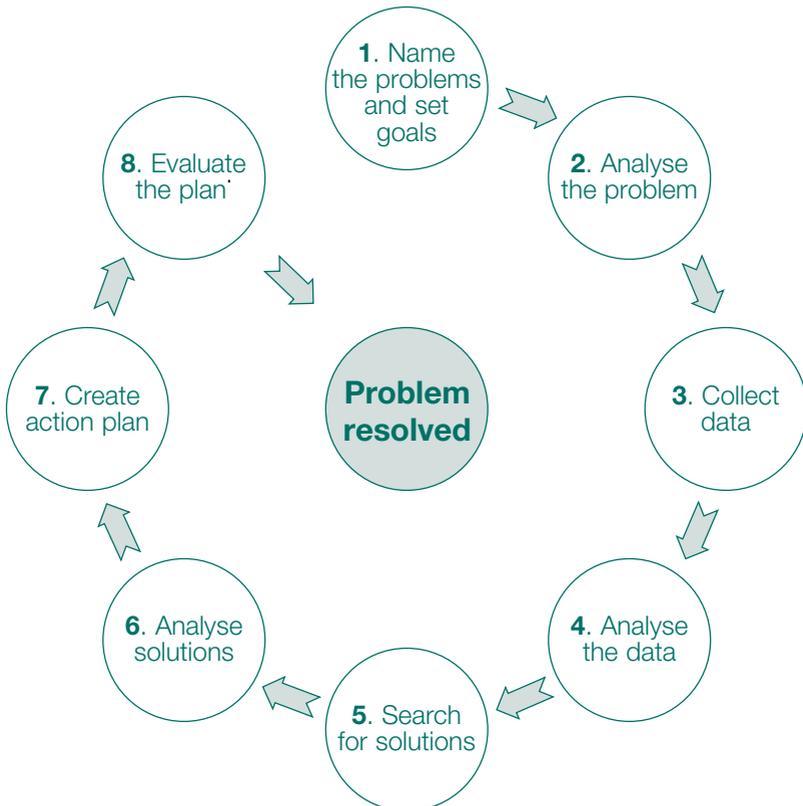
For further information see the Acas guide *Representation at work* at www.acas.org.uk/publications or

contact the Acas Helpline 0300 123 11 00 (Open Monday to Friday 8am-8pm and Saturday 9am-1pm).

3. Use problem-solving cycles

Problem-solving models are practical tools to help you to work with colleagues in a systematic way. They give you:

- time to gather your thoughts and collect data
- a plan of action
- the chance to consider all the options open to you.



Sit down and describe the conflict in your workplace. This will help you to analyse the problem and to identify any gaps in your knowledge or understanding of the problem. You will also learn to separate people's positions ('what' they want) from their interests ('why' they want something). Ongoing evaluation of your solutions is also part of every effective action plan.

4. Use dispute resolution procedures

Sometimes disputes cannot be resolved by consultation through joint working groups. Many employers have written agreements with their recognised trade unions which cover how they will resolve disputes that begin to escalate. A general negotiating agreement will usually cover:

- **scope:** who is covered by the agreement and who has bargaining rights
- **general principles:** for example, the desire of management and unions to work towards shared interests, such as the prosperity of the business and working together to manage change
- **subjects for discussion:** these might include changes in wages or other terms and conditions
- **stages for resolving a dispute:** for example, at the initial stage a line manager might meet with a local union representative, but if the dispute escalates senior management may meet with full-time union officials

How much do you involve your employees?

If you say:	It's called:
'This is what I've done'	Briefing
'This is what I've done/want to do – what do you think?'	Communication
'What are the options and which one do you think we should take?'	Consultation
'Let's get together to discuss the problem and see if we can agree what we ought to do'	Joint problem-solving
'Can we reach a deal on what to do?'	Negotiation
'This is the problem – you decide what to do'	Empowerment

Training can help managers and employee representatives understand when and how to use each form of employee involvement.

- **third party involvement:** if the dispute cannot be resolved through negotiation, unions and management might agree to approach Acas to resolve the dispute using conciliation. For more information contact the Acas helpline 0300 123 11 00. (Open Monday to Friday 8am-8pm and Saturday 9am-1pm).

The advantage of having a dispute procedure is that it helps to manage what can be very confrontational situations – getting everyone involved to focus on negotiating agreement.

5. Consider outside help

It is not always easy to ask for help. You might prefer to keep your problems in-house and not share them with someone outside.

You may also have concerns about the impact a third party will have on your workplace. For example, will you still be the one making the decisions? Or will asking for help be seen as a sign of weak management?

If you already work closely with employees in representative groups then you will be used to making joint decisions to resolve problems.

However, if your management style is based more on briefing employees about the decisions you have already made you might need help with how best to involve employees (see ‘How much do you involve your employees?’ on p18).

Do you need *help?*

If the answer is 'yes', act quickly.
The sooner you ask for help:

- the more options you have for resolving the problem
- the better chance you have of maintaining relationships that may have been damaged by conflict.

First, decide what kind of help you want. Do you need someone to:

- **work with you** to find your own solutions?
- **advise you** how to resolve the problem?
- **tell you** what to do?

The table (p23) explains how the different forms of dispute resolution work.

Conciliation

Conciliation involves an independent, impartial person helping two or more people in dispute resolve the difference between them. It is the same as mediation, but when the process takes place against the background of an actual or potential claim to an employment tribunal, we refer to it as **Conciliation**.

Conciliation can save time, money and stress and promote a quick solution which suits the employer and employee and may help them avoid a permanent breakdown in their relationship.

If you are (or expect to be) affected by such an issue, see Appendix 2 'Important Changes to Making Employment Tribunal Claims'

For more information contact the Acas helpline 0300 123 11 00. (Open Monday to Friday 8am-8pm and Saturday 9am-1pm).

Acas conciliation is:

- **voluntary** – you only take part if you want to and you can stop at any time
- **free** – there is no charge for our service
- **impartial** – we won't take sides or judge who is right or wrong
- **independent** – we are not part of the Employment Tribunal Service. Conciliation does not delay the tribunal process. What you say during conciliation can't be used as evidence against you at a tribunal hearing
- **confidential** – nothing you tell us will be passed on to anyone else unless you want it to be.

A similar process is used in disputes between unions and employers. Talks between unions and employers are held face-to-face, although not necessarily always with the parties in the same room at the same time, and can sometimes last several days. This is known as collective conciliation and can involve:

- sorting out the issues
- finding common ground between the two sides

- giving people the space to calm down and see the problems from the other side too (sometimes this means taking the dispute out of the media spotlight)
- having meetings with each side separately and together to discuss and explore the issues, then start negotiating a solution
- repairing relationships and building up trust.

Mediation (where no claim to an employment tribunal is likely or has been made)

Mediation is the most common form of conflict resolution. It involves an independent, impartial person helping two individuals or groups reach a solution that is acceptable to everyone.

Mediation is not prescriptive. It helps the parties involved to make progress in resolving their differences. It does not make judgments or determine outcomes.

How does mediation work?

A mediator will often meet the parties in dispute separately, perhaps several times, and then together. They may use appropriate techniques to help determine the underlying causes of the problem –

for example, using workshops can help groups to agree on their common concerns.

A mediator will:

- ✓ be seen as **impartial and independent**
- ✓ come without **any emotional or political baggage**
- ✓ develop **new ideas** based on their experience
- ✓ use tried and **tested techniques** for getting people talking and listening and reaching compromises
- ✓ protect and sustain **the ongoing relationships** at work.

If you talk to a mediator you may:

- agree some **ground rules** about how everyone will behave in a face-to-face meeting. However, you will not be forced to meet the other person or group in the dispute
- discuss whether you need a **representative** (although, in individual conflict, it is often best for those involved to express their feelings personally)
- be reminded that although the decisions reached are not legally binding you will normally agree to stick to any **joint agreement**.

Part of the mediator's job is to explore the perceptions each individual or group has of the conflict – getting behind the emotion and focusing on the key issues and concerns.

As well as using an Acas mediator, you could also consider having some of your own staff trained to provide mediation in disputes which arise within your organisation. Acas offers an accredited Certificate in Internal Workplace Mediation (CIWM), further details of which can be found at www.acas.org.uk/ciwm.

A mediator will not:

- ✗ **counsel** or offer any kind of therapy. A mediator will try to change the behaviour of individuals or groups in a specific work setting. A therapist or counsellor takes a deeper look at the whole personality
- ✗ **defend legal rights.** A mediator will not assist an individual or group of employees who wish to assert an employment right – such as the right to consultation or protection from discrimination
- ✗ focus too much on the **history of a dispute**; the emphasis is very much on looking to a positive future.

Arbitration

You could agree for your dispute to be settled by an independent person who examines everyone's point of view and issues a binding decision. This is known as arbitration.

If an employee believes they have been unfairly dismissed, or that they

have a complaint under the flexible working regulations, the complaint can be heard by an independent arbitrator appointed by Acas, if that is what both sides want. For more details of the Acas Arbitration Scheme visit www.acas.org.uk.

Type of help:	Mutually agreed solutions?	Recommendations made by expert?	Legally binding decisions?	Key features
Mediation <i>(sometimes referred to as 'collective conciliation' when used with groups of employees)</i>	✓	(Not usually, but parties can ask for them)		<ul style="list-style-type: none"> • helps to maintain ongoing working relationships • develops problem-solving skills • tackles conflict early.
Arbitration		✓	✓	<ul style="list-style-type: none"> • simpler, faster alternative to tribunal hearing • only available for cases involving unfair dismissal or flexible working.
Individual conciliation	✓		✓	<ul style="list-style-type: none"> • success rate of Acas service: 70% cases settled or withdrawn before cases get to a tribunal hearing (If you are, or expect to be, affected by such an issue, see Appendix 2 which outlines important changes to making a tribunal claim.) • often conducted on the phone: parties may not talk to each other.

How can you prevent *future conflict?*

You can learn a great deal from conflict. Here are some of the common action points that many employers need to address during or after periods of individual and group conflict:

1. Put the systems and procedures in place:

- **establish formal procedures** – for dispute resolution, grievances and disciplinary issues
- **explain plans** – link individual performance targets to the overall business plans so everyone feels involved
- **listen** – consultation is the key to involving employees in decision-making
- **reward fairly** – pay is seldom far from people's minds
- **work safely** – think about use of computers, smoking, stress and drugs as well as noise, dust and chemicals.

2. Develop relationships:

- **value employees** – how would most employees describe the culture within the organisation?
- **treat fairly** – check the law on discrimination and the meaning of 'harassment'
- **encourage initiative** – think about job design and developing individuals
- **balance personal and business needs** – could flexible working patterns help to improve the work-life balance of employees and the effectiveness of the business?
- **develop new skills** – is it worth thinking about Investors in People (IIP) to promote training and communication?

3. Work together:

- **build trust between employee representatives and management** – do relationships add value to the organisation by working effectively to respond to change?

Keeping up-to-date

Acas can also help you to keep up-to-date with changes in the law and give you practical advice on how to manage change. Acas runs training events on a wide range of subjects, including:

- handling grievances
- managing absence
- informing and consulting staff
- equality and diversity
- age discrimination.

For more information visit www.acas.org.uk or contact the Acas Customers Services Team on 0300 123 11 50.

Appendix 1:

Scenarios

Scenario 1:

What happened?

Two colleagues get on with each other and work well together. Suddenly you notice relations seem frosty and work is starting to suffer.

Their relationship is also beginning to affect the morale and efficiency of the team in which they work.

What do you do?

The employees' line manager talks to each of them in private.

It turns out that one member of the team had suffered a family bereavement which he has not told his colleagues about. One colleague had made a tasteless joke about the illness that the family member had died from.

The outcome?

After further discussion the worker who suffered the bereavement agrees to explain to his colleague why he is upset. His colleague apologises profusely and this seems to help repair relations and the team begins to function effectively again.

Scenario 2:

What happened?

A reliable, diligent employee comes to see you.

She is not happy with the way you treat her. She feels you favour male employees when allocating the most interesting tasks.

What do you do?

You give the employee the chance to express her concerns. She feels excluded because:

- she does not have the same sporting interests as her male colleagues
- the various tasks are discussed at social events she doesn't attend – for example watching football matches in a local pub.

You accept that she has a point and agree that work tasks will only be discussed when everyone is present. You set up weekly team meetings to discuss the allocation of projects.

The outcome?

The team meetings are a success and the employee is happy with her new projects. However, some of her male colleagues are now complaining that she is not joining in with the rest of the team. You decide that you need some outside help.

How do you get help?

You find the contact details of local mediators. You want someone with a professional reputation who will be trusted by managers and employees so you choose Acas.

You talk to the mediator about the problem within the team. You consider the possible options and decide you would like to be trained to mediate in conflict yourself.

The mediator trains you in:

- communication skills
- problem-solving skills
- awareness of team dynamics.

You also review your knowledge of employment law.

The outcome?

You get the team working in small groups on specific problems – including team building, job design and working environment.

You decide to take a more active role in motivating and coaching the team through agreed changes and action plans.

Scenario 3:

What happened?

You receive complaints from the sales team that the deadline for making expenses claims is unreasonable and some people manage to 'jump the queue'. One sales manager boasts that his claims get paid despite handing them in late. It is known that he has a friend in accounts and colleagues suspect his claims are put to the top of the pile.

This month two members of the sales team have missed the deadline by just a day. They do not get the money in their monthly salary and complain to you.

What do you do?

You meet the managers of the sales and accounts teams and discover there are lots of simmering resentments between the two teams.

The sales team feel accounts don't understand what it's like getting work 'out in the real world'.

The accounts team feel they are taken for granted and 'treated like errand boys'.

You arrange for the teams to meet with a trained mediator from within the firm to focus on their real interests.

The outcome?

The mediator helps the teams to air their grievances in a controlled environment and suggest solutions. They identify that there is scope for deadlines to be extended as long as the sales team agree that there is no possibility of processing late claims until the following month.

Further joint meetings are agreed at which staff from both teams will give short presentations of the work they do and the pressures they are under. These meetings will also be used to monitor the progress of the new arrangements and discuss the possibility of a joint social event.

Scenario 4: ***What happened?***

A trade union representative comes to see you. She tells you that many of your employees are unhappy with the way you have been consulting them about the introduction of new technology.

What do you do?

You talk to some of your managers and staff and set up a working group to involve employees (including TU representatives) in the introduction of new workplace practices.

At the first meeting you discover that employees are anxious about:

- the lack of training to operate the new machinery
- possible changes to their job description.

You decide to set up a training programme and to ask the working group to help update your communication and consultation procedures.

The outcome?

The working group is effective but brings to light new concerns about staffing levels. The working group continues to meet until these issues have been addressed. You agree a date to review the effectiveness of the new communication and consultation arrangements.

Appendix 2: *Important changes to making Employment Tribunal claims*

Previously, an employee could go straight to the tribunal service, but this will change. From 6 April 2014, if an employee is considering making an Employment Tribunal claim against their employer, they should notify Acas that they intend to submit a claim.

Details of how and where to do this are given below.

Acas will, in most circumstances, offer to assist in settling differences between employee and employer. Employers intending to make a counter-claim against an employee must follow a similar procedure.

The process for agreeing settlement is called Early Conciliation. It is handled by experienced Acas conciliators and support officers and is:

- free of charge
- impartial and non-judgmental
- confidential
- independent of the Employment Tribunal service
- offered in addition to existing conciliation services.

Early Conciliation focuses on resolving matters on terms that employee and employer agree.

Early Conciliation may not resolve matters in every claim. When this is the case Acas will issue a certificate that is now required for a claim to be submitted to an Employment Tribunal.

From July 2013, employees have been required to pay a fee to “lodge” a claim at the Employment Tribunal, followed by another fee if the claim progresses to a tribunal hearing. In some cases, other fees may also apply. If a claim is successful, the employee may apply for the costs of the fees to be covered by the employer. Some employees, including those on low incomes, may be exempt from fees.

Remember, when a claim is lodged with a tribunal, Acas will continue to offer conciliation to both sides until the tribunal makes a judgment and, if the claim is successful, a remedy decision (usually financial compensation) has been made.

To find out more about Early Conciliation, go to www.acas.org.uk/earlyconciliation

To find out more about Employment Tribunal fees, go to www.justice.gov.uk/tribunals/employment

Information in this booklet has been revised up to the date of the last reprint – see date below. For more up-to-date information go to the Acas website www.acas.org.uk.

Legal information is provided for guidance only and should not be regarded as an authoritative statement of the law, which can only be made by reference to the particular circumstances which apply. It may, therefore, be wise to seek legal advice.

Acas aims to improve organisations and working life through better employment relations. We provide up-to-date information, independent advice, high quality training and we work with employers and employees to solve problems and improve performance.

We are an independent, publicly-funded organisation and many of our services are free.

June 2014

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