

How to control conflict

Jo Faragher 19 Feb 2015

Office conflict often starts at a low level. But the consequences are increasingly grave. How can HR nip friction in the bud?

Picture the scene. You manage a team in a call centre. An employee has stolen a computer game from a colleague's car and held his keys to ransom. Others are changing the language on each other's computers or disrupting the working day with excessive noise. Someone defaces an ID card with a permanent marker. Some might be tempted to dismiss it as boisterousness or 'banter'. But the atmosphere soon spirals out of control, someone 'flips' and an employee is attacked at his desk and kicked unconscious.

It might sound far-fetched, but the incident was all too real. It took place at an EE call centre in the north east, in 2013, and resulted in the dismissal of eight employees, including the manager concerned – though she later won a claim for unfair dismissal.

It's an unnerving demonstration of how allowing gripes and disagreements to escalate can have a major impact on productivity, morale, and even the fabric of an employer's culture. Conflict is not only human; it's human nature to find a vicarious pleasure in others' friction. Millions enjoyed the drama of Katie Hopkins ("He's got more back fat than a blue whale") and Perez Hilton ("You have defecated on my soul") at loggerheads on *Celebrity Big Brother*. But transfer that sort of pantomime conflict to real life and it's often the employer that's left picking up the pieces.

According to a new CIPD report, *Getting under the skin of workplace conflict: Tracing the experiences of employees*, to be published later in March, one in three UK employees has reported either an isolated dispute or incident of conflict in the last year. The most common type of conflict was with line managers, followed by colleagues in a team and then direct reports. The single most prevalent cause was "clashes in personality or working styles". And for 40 per cent of employees surveyed, the conflict led to either an increase in stress or a dip in motivation.

To a certain extent, some element of conflict at work is unavoidable. "If you think about it, if you push a group of people together in an office, you're selecting them as individuals rather than as a team. So there will be personality conflict, competition for attention, opposition for promotion," says occupational psychologist Cary Cooper. "There's so much tied up in the political aspects of the conflict that they're not doing their job."

This preoccupation can be disastrous for productivity. And if the disagreement ends up in a formal grievance process, this occupies large swathes of management time – and could even finish up with a legal claim going before a tribunal.

Changes to public policy and legislation around dealing with workplace grievances, such as the recent introduction of tribunal fees, a focus on early conciliation and changes to settlement agreements, mean there is more onus than ever on employers to nip conflict in the bud. "We believe far more effort is now being made by employers to head off problems at the ranch; training managers to do a better job of dealing with conflict, boosting mediation skills," says Mike Emmott, employee relations adviser at the CIPD.

In small or family businesses, the effects can be devastating. If a disagreement escalates in a workplace just four- or five-strong, it can cripple the operation. "Even something small can affect a whole business if there are only a few employees," says Beverley East, operations director for the Federation of Small Businesses.

What are the flashpoints for such devastating disagreements? "Often it's just a misunderstanding; people aren't communicating effectively, they're relying on email instead of talking face to face," says Alex Efthymiades, a director at mediation consultancy Consensio. "People might misinterpret what you write, or that someone is having a bad day when they're just tired."

Sue Binks, principal consultant at leadership institute Roffey Park, says conflicts often begin with an

individual becoming fixated on their own beliefs or expectations for a certain outcome. "Their self-esteem is bound up in an external situation. It might even be linked to their past – a phrase, an element of body language that reminds them of a situation where they felt threatened," she says. When they bring this out into the open or things don't go their way, the atmosphere can turn toxic.

This happened at a professional services firm where a group of senior partners had a "breakdown in relations", says Mark Withers, founder of Mightywaters Consulting. "Two of the younger partners had been working together for eight years, they'd been promoted at the same time and were striving for supremacy. It built over time. They both thought they were right." Only once things came to a head did they seek external support.

Withers believes this illustrates why it's important to call out conflict as early as possible. "You have to look out for the early warning systems, particularly where there are senior people involved," he says. In this case, Withers worked with the partners to reflect on their own personal working styles, consider each other's strengths and weaknesses and how these contributed to the overall goals of the firm. "Before we could even sit down as a group, I held individual conversations with them to build trust. You have to do this before you can get to the nuts and bolts of the problem."

Language, and the body language that accompanies it, is at the root of many misunderstandings. It's a topic Deborah Tannen has devoted her career to unravelling: as professor of linguistics at Georgetown University and author of *Talking from 9 to 5: Women and Men at Work*, she rues the diminishing importance of face-to-face contact in the workplace. "Most of the conflicts I've encountered during my research came about because of one-way communication: an email, a voice message. If someone's in front of you, you can gauge their reaction, see if you're on the wrong track."

She argues there are many ways language can be misconstrued. "Language is often a medium through which we work things out, but also where issues are perpetrated. For example, people from different cultures have different ideas for how long a pause [in speech] should be, or whether it's rude to interrupt. If you can get a handle on conversational dynamics, you're making a step forward."

Managers' fear of dealing with conflict may be every bit as problematic. "People get promoted to positions because of their technical ability, not their people skills," says Efthymiades. "They're in positions of power but they haven't been given the skills or the confidence to deal with awkward situations. They don't know how to intervene appropriately, so they'd rather not."

Mike Williams, HR director of Byron Hamburgers, encourages managers to take responsibility for their own department when it comes to dealing with conflict. "We tend to push the informal route early on. We push back to people and ask 'Why did X do this?' We coach managers to have that conversation and come to an informal resolution." Others prefer even more direct interventions: an HR director in a manufacturing company explains that he takes new managers to employment tribunals, to show them the high-pressure environment they risk entering when they allow relatively benign situations to escalate. Better a difficult conversation now, he tells them, than a grilling from a well-remunerated barrister down the line.

In one case (in a previous role), Williams ran a mediation session for two colleagues whose clash had become so overwhelming that they were shouting at each other in the office. "We made it clear that if this continued they could both face disciplinary action, and this gave them the motivation to sort it out. We signed an agreement on how they would behave, and how they would approach the other person if the issues started again," he says.

By getting those involved in the conflict to 'own' it rather than trying to apply a resolution, there is a much greater chance of success. "Don't start writing scripts. Step back and understand what's going on," says Withers. "Create an environment where they can work through it, rather than either party worrying that discussing it will be career limiting."

When dealing with clashes at work, timing is everything. Applying formal processes too early, for example, can be counter-productive. "If you over-apply HR processes, you can create an environment where the first port of call is to lodge a grievance," adds Williams. "Then you spend all your time managing disputes formally, it's very reactive and you can't identify why situations get to that stage in the first place."

Mediation, whether internal or bought in from a third party, can influence a positive outcome, but it has to be introduced without prejudice, says Lindsey Trueman, owner of the Let's Talk consultancy. "It will only work where there is a balance of power. Where it is used for one party to say 'this is successful' – or, if it doesn't work, they then resort to the legal process – it becomes more like a formal sanction or a personal vendetta," she says.

It's vital to keep in mind the blurred boundaries between clashes and outright bullying. People may have nefarious reasons for writing off serious situations as a minor fracas: in compiling his recent report on the parlous state of NHS whistleblowing, Robert Francis decried the frequency with which whistleblowers were portrayed as pursuing an interpersonal agenda against a manager or colleague when in fact they were raising serious safety concerns.

Ultimately, preventing conflict in the first place is the ideal – and while avoiding it altogether might be over-ambitious, it is possible to foster a culture where disagreements don't derail the whole

organisation. Ros Searle, professor of psychology and organisational behaviour at Coventry University, says: "It helps to understand the role of competition. Are you setting up conflict scenarios, for example around resources? Or are you encouraging people to co-operate to get the desired result?"

One company gave employees disposable cameras and encouraged them to take pictures of parts of the workplace that mattered to them. There was an exhibition of the resulting photos, and when the business set up conflict management training, staff were more receptive, because they appreciated that team individuals had different personal priorities.

Jonny Gifford, CIPD research adviser, suggests that over time, the skills managers require to manage conflict will become integral to how they work: "As with coaching, I think we'll begin to see mediation move from something formal that people buy in, to a skill embedded in management training, with managers adopting mediation behaviours to more informal situations."

Ultimately, says Binks, you want a workplace where healthy friction and occasional conflict are part of the creative or operational process, firing people up to greater heights rather than leaving them demoralised and distraught. Whether that would stop a Katie Hopkins type running amok, however, remains a moot point.

For guidance on employee relations visit bit.ly/CIPDEmployeeRelations Look out for the CIPD report, Getting under the skin of workplace conflict: Tracing the experiences of employees, later in March at www.cipd.co.uk/conflictresolution

"But he started it..."

The grown-up guide to handling conflict in business

1 Understand individual styles

It may not prevent disruption completely, but arming managers with the knowledge of how different people work together can help them nip disagreements in the bud. Psychometric tools such as the Myers Briggs Type Indicator can be useful here, marking out where the friction points might be. Mark Withers, founder of Mightywaters Consulting, suggests: "Can there be some compromise between people who prefer structure and those who like flexibility?"

2 Get them Talking

When you observe that two or more employees may be experiencing issues with one another, don't assume they'll sort it out by themselves. Micha Jazz, a mediation consultant at Penna, says it's crucial to upskill managers to listen. "They should listen to what the complainant has to say and repeat it back to them; this way they feel like they've been heard." Because managers tend to be solution-focused, he adds, they often want to apply their own resolution, which may not work. "It's better to ask: how would you approach this?"

Psychologist Mandy Rutter adds: "Don't belittle the problem by saying 'Let's sort out this little problem of yours' or 'Let's all have a chat and move on'. Avoid trying to predict what people will feel, and don't try to generalise the problem by saying: 'We all have struggles at work, everyone else seems to just get on with it'."

3 Consider mediation

If dialogue has not produced the desired resolution, it may be time to introduce some informal or formal mediation into the mix. According to the CIPD, just 1.5 per cent of employees experiencing conflict have access to mediation, despite the fact that almost half felt it would be an effective approach to dealing with the problem.

Large companies may have trained mediators internally who are able to be objective because they don't know those involved. If not, drafting in a third-party mediator can be helpful, as the employees affected are more likely to feel the process is fair and that the company does not have an agenda. Training employees up as accredited mediators is one option.

Don't leave it too long, says Alex Efthymiades of mediation consultants Consensio. Offer it before you enter a formal grievance process if possible. "Organisations worry about the up-front investment, but if a small conflict ends up in a formal grievance or tribunal, the financial and human cost can be a lot greater."

4 Make it formal

If all avenues have been explored, the employee may still feel their issue has not been resolved, and may lodge a formal grievance with their manager. If this happens, one of the first things to do is refer back to your original contract with the employee. "One of the requirements of the Employment Rights Act is that you set out details of what happens if staff have a grievance in their contract or statement of particulars," says Kevin Charles, director at Crossland Employment Solicitors.

Refer to the Acas Code of Conduct on disciplinary procedures, which, while not legally binding in itself,

will be a point of reference should the employee bring the case to a tribunal. After the grievance is lodged, the manager should sit down with the aggrieved party and hear what they have to say. This should be followed by an impartial investigation, which could mean acquiring statements from other staff, or even suspending one or more of the parties involved.

The outcome of the grievance should be delivered in person, advises Charles. "It's good practice to discuss the outcome of the process in person, as this can be a sensitive time, and it allows the employer to explain why it was accepted or rejected. Employees should then be offered the opportunity to appeal the decision, and the hearing and investigation process begins again."

5 Be prepared for the worst

A small proportion of workplace disputes do end up in employment tribunals. "If it looks like this may be the case, do keep in mind other options," says Charles. "If the person chooses to stay, can they be transferred or their working pattern changed? It's natural for employers to look for damage limitation."

If an employee cannot move on from the outcome of a grievance, they may decide to leave and sue their employer for constructive dismissal, or even discrimination. In this case, it's essential to ensure that all the appropriate grievance processes have been followed, that decisions have been issued in writing, and that evidence has been collected.

When office rows go too far

A Food Standards Agency inspector was dismissed after Facebook 'banter' got out of hand and he 'liked' a comment about an unpopular manager being beaten over the head with a chair.

An investment consultant sued her former firm for harassment after relations with another director went south on an overseas business trip. The director compared the consultant to an African prostitute, told her she was 'in charge of the shopping', and later defended his actions by saying: 'I'm sorry. I must have mistaken you for my wife.'

Snide comments about being put on vegetable preparation duty ended in a trip to hospital after a fist fight broke out between two chefs at a Cambridge college.

A businesswoman successfully sued IT firm Oracle for nearly £100,000 after a prolonged feud with her boss forced her to resign. The court heard he was particularly aggrieved because she received maternity pay, complaining: "If I were pregnant I would get nothing because I am a man."

Topping a list of petty office grudges compiled by Protecting.co.uk is a company where two clerical staff refused to be in the same room together after one drew a moustache on a picture of Gary Barlow belonging to the other. The defacement was rubbed away, but the ensuing row still ended in an arbitration procedure and the 'aggressor' had to be transferred.

Another business "ground to a halt" for three days over a dispute stemming from stolen milk in the communal fridge. The company ended up buying six fridges – one for each department.
