

What's wrong with contemporary conflict management and what can organizations do about it?

01

Grievances kill the employment relationship. (Head of employee relations, global drinks company, CIPD, March 2015)

KEY LEARNING POINTS IN THIS CHAPTER

- Workplace conflict is a taboo subject and it is widely misunderstood. This makes it hard for organizations to acknowledge it and to manage it.
- Conflict is inevitable and unavoidable. It will always exist and it affects every one of us.
- There are broadly two types of conflict: dysfunctional (unhealthy and destructive) and functional (healthy and constructive).
- Resulting from organizations' focus on managing the risks and fall-out from dysfunctional conflict, the potential to transform conflict into functional, healthy and constructive dialogue is often missed.

- Rights-based, adversarial, divisive and confrontational policy frameworks such as the traditional grievance procedure and bullying policies are ineffective at managing workplace conflict. Evidence suggests that these policies are harming employees, teams and organizations as a whole.
- Over the past 10 years, there has been a lack of coherent guidance from policy makers for organizations that wish to adopt innovative systems for managing conflict such as resolution triage assessments, early resolution, facilitated roundtable conversations or mediation.
- Simply referring to mediation in the introduction of the ACAS Code on Discipline and Grievance fails to deliver the message that mediation and associated ADR (alternative dispute resolution) approaches offer a valuable and highly effective remedy to workplace conflict.
- There is a common myth that organizations have a statutory (legal) duty to have a grievance procedure. They do not and they never have done.

Putting conflict into context

Sarah and Mike were in a long running dispute following a comment that Mike overheard Sarah making one day on the phone. She accepted that she described him as 'disorganized and unprofessional' but she maintains that it was said as a joke. Mike didn't see the funny side and refused to speak to Sarah for six months. One Tuesday, Mike got cross with Sarah about a relatively minor issue. He allegedly shouted at her and was verbally abusive. Sarah put in a grievance against Mike. The issue was investigated over a period of six weeks and a panel was convened to reach a determination. The outcome was that there was no case to answer. Sarah felt that no one believed her and that she wasn't trusted – she left the business shortly after. Mike felt let down by the whole process and he became reclusive and quiet. He didn't bother applying for a promotion, believing that this was a stain against his name.

Workplace conflict is one of the most enduring taboos

Workplace conflict is something of a taboo subject. No one really likes to talk about it. Organizations are often loath to admit that it is a problem and I hear very few people boasting that their organization benefits from it. Organizational

conflict management strategies are generally vague (if indeed there are any) and many organizations rely on HR processes such as grievance procedures and bullying policies to resolve interpersonal disputes or workplace conflicts.

Some organizations, particularly in smaller businesses, where there may be less of a policy framework in place, depend on the discretionary activity of managers who may (or may not) have the courage, the confidence and the competence to deal with the underlying issues effectively and to help the parties achieve a resolution. Other organizations deny that conflict exists, suppress it and avoid dealing with it. In these cases, the conflicts can manifest in a number of ways that I will explore in more detail in Chapter 2. Suffice to say that suppressed conflicts can have the most damaging and destructive impact imaginable and when the volcano erupts it can have a significant impact on all concerned, not to mention the ‘collateral damage’ that can be caused. In those cases, conflict becomes a threat and a major risk to the individuals involved, their colleagues, their managers and potentially to the whole organization.

So why is this still happening?

Conflict is a complex subject and it requires a sophisticated and nuanced approach. The best response is to promote dialogue between the disputing parties. However, too many organizations still turn to formal processes for managing conflict in the belief that these will spit out two happy people and a lasting resolution. They don’t.

Our reliance on formal processes to resolve conflict at work is anathema. In 2007, Michael Gibbons was commissioned by the UK government to undertake a root and branch review of workplace dispute resolution. I was actively involved in that review and I vividly recall sitting in consultation meetings at 1 Victoria Street in London (home of the then Department for Trade and Industry) hearing numerous tales of failed approaches to resolving workplace disputes that had resulted in significant escalation and great business and human cost. Gibbons’ seminal report *Better Dispute Resolution* (Gibbons, 2007) paved the way for the repeal of the Dispute Resolution Regulations.

Gibbons highlighted that organizations relied too heavily on formal approaches for managing conflicts that could have been resolved at an informal level. He suggested that organizations’ reliance on formal approaches had a serious and a negative impact:

Problems escalate, taking up more management time. Employees find themselves engaged in unnecessarily formal and stressful processes...the use of formal

processes in cases where other approaches would be more appropriate affects the climate for resolution, and makes parties defensive and more likely to consider an employment tribunal from the outset. (Lederach, 2003)

It is now 10 years since the Gibbons review and the subsequent repeal of the Dispute Resolution Regulations. Yet the above paragraph could still be applied to most employees' and managers' experience of conflict management within our organizations today. However, in his report, Gibbons (2007) set out the case for mediation and ADR perfectly clearly:

It is clear that the earlier a dispute is settled, the better it will be for all concerned, eg in terms of disruption to businesses and lives, and associated costs. Early resolution can also involve outcomes not available through the tribunal system such as a positive job reference, an apology and changes in behaviour. Mediation and other alternative dispute resolution techniques are effective means of achieving early resolution.

The question persists: why are such approaches, and in particular mediation, still so underutilized? – a question that I will come back to in Chapter 10.

Resolution reflection

- Does your organization have a conflict management strategy that pulls together your various efforts to manage customer complaints, employee grievances and team disputes?
- If not, what impact does this have?
- What benefit would a conflict management strategy offer to your organization?

One particularly interesting piece of research that begins to shine a light on the problems with contemporary conflict management was published in 2016: *Managing Individual Conflict in the Contemporary British Workplace*. I draw on this and other pieces of research throughout this book. That report states:

The problems facing organizations in managing conflict... stem from the lack of conflict competence among frontline managers; the erosion of structures of employee representation; and the increasing remoteness of HR. This, in turn, reflects the failure of employers to recognize the strategic importance of effective conflict management. (Saundry *et al*, 2016)

The research suggests three factors that contribute to conflict in the workplace are:

- 1** Lack of the skills that managers need to possess to manage conflict.
- 2** Erosion of the structures by which employees can have their voices heard either through unions or informal means.
- 3** An HR function that focuses increasingly on transformational and strategic activities rather than the traditional personnel activities of transactional people management. In the new paradigm people management has been delegated to managers – but see point 1.

These three factors are valid and they are a call to arms for organizations; I will address each of these factors throughout this book. However, the authors appear to miss a key point in their analysis. There is a fourth factor and, for some reason, we seem afraid to talk about it. The fourth and possibly most significant factor at play in terms of conflict management is our reliance on a policy framework comprising formal rules and processes for managing conflicts, complaints, disputes and allegations of bullying. The traditional policy framework has a chilling and harmful effect on employees who become increasingly infantilized, disengaged and disadvantaged; on working relationships that become increasingly polarized, hostile and tense; on work teams that become increasingly divided, fractured and less resilient; and on organizations as a whole that become less efficient, less productive and a lot less harmonious.

While giving an outward appearance that conflicts and disputes are being taken seriously, that there is a consistency of approach, that the approach is legally compliant and that the organization is delivering ‘procedural fairness’, the reality of traditional discipline, grievance and bullying policies is:

- The underlying issues are not being resolved.
- Relationships are being irrevocably damaged.
- There is substantial inconsistency in the application of the rules by managers who are not trained or supported adequately.
- A blame culture emerges that can translate into a culture of conflict avoidance.
- The policies take far too long to generate an outcome.
- The parties, the teams and the overall business needs are overlooked and ignored.
- Opportunities for insight, dialogue and transformation are missed.
- The policies generate increasing levels of stress, anxiety, depression and the associated absence.

In a report published by the Chartered Institute of Personnel and Development (CIPD) in 2015 entitled *Conflict Management: A shift in direction?* the authors state:

Most employers say that once an issue has entered the grievance procedure, it generally becomes much more difficult to resolve... the use of the grievance procedure can be emotionally wearing for both employer and employee. (p 12)

The CIPD report cites a number of stories from senior human resources professionals and business leaders who have a less than positive perspective of the traditional grievance process:

Grievances [are often] based on misperceptions; grievances are tough for the individual. We see discipline and grievance processes as a last resort. (Head of HR, global asset management)

Managers worry if they deviate from the procedure in the Code. (Managing associate, law firm)

The last statement is the one that I find interesting and disturbing. Surely managing conflict is about taking risks, being innovative and crafting new solutions to complex problems? How and why do managers and HR fear deviating from The ACAS Code on Discipline and Grievance? Why do they adhere to a policy framework that they know is doomed to failure? After all, the ACAS Code sets out a minimum standard for employers to follow; it is not a manual for managing complex interpersonal conflict in the workplace.

The fear of future litigation is destabilizing our organizations and the more that can be done to address this issue the better. As illustrated in Chapters 4 and 9 of this book, organizations simply need to provide a statement that sets out the mechanism for employees to raise a grievance against their employer. There is no statutory requirement to have a grievance procedure and there is absolutely no requirement to address interpersonal issues via such a mechanism. The room for innovation in how we manage conflict is vast.

The ACAS Code on discipline and grievance sets out a recommended minimum framework and the tribunals welcome any attempts to resolve issues at an early stage. In fact, a growing number of employment judges have been trained to act as mediators through a process called 'judicial mediation'. I always felt that the term 'judicial mediation' was an oxymoron but it is great to see the judiciary subscribing to the principles of ADR and I celebrate this development.

Thankfully, while many lawyers still believe that the threat of litigation is a stick that can be used to leverage a deal, some are now rejecting litigation in favour of a more compassionate and less costly remedy to conflict.

Camilla Palmer QC is an employment lawyer who saw plenty of conflict during her time as a litigator:

I saw the appalling impact on an employee of bringing a claim: their life was put on hold, it was expensive and it was stressful... the only ones who benefited were the lawyers, but the clients were the ones who paid out. Even if the employee wins, they don't necessarily get what they want and it can negatively impact their future careers and their reputations.

Camilla has now rejected litigation in favour of non-adversarial dispute resolution. She is the joint CEO of a fast-growing charity that promotes non-adversarial remedies to employment disputes: YESS Law (Your Employment Settlement Service). Camilla explained to me what drove that change for her:

While litigation is important in some cases, on the whole litigation delivers a lose/lose outcome. Lawyers and litigation ratchets up the fury. It has a damaging impact on the parties. Barristers are taught to go into battle – litigation is a deeply adversarial process. Grievances are much the same, they ratchet things up, are rarely upheld and they inhibit a resolution. The parties do not benefit from these processes. What employees often want is an apology. Lots of grievances and litigation could be avoided if the word 'sorry' was used more often.

Camilla has a clear vision for the future of dispute resolution:

We should replace grievances with a more conciliatory approach and the ACAS Code of Practice should be amended to focus on raising issues and resolving them based on the structure and principles of the resolution policy. There needs to be more emphasis on finding solutions; employees should be encouraged to raise issues as an early stage and HR should be focused on securing resolution. The culture of an organization should encourage employees to raise issues at an early stage.

The only real benefit that I can see of such rigid rules and processes for managing conflict is that the perceived legal risk to the business is minimized, in so much as key players can state at any future legal process: 'We were just following the stated procedure.' Such approaches treat conflict as though all conflict is harmful and dysfunctional. This is a shameful waste of a good opportunity. Organizational policies for managing conflict are, in and of themselves, divisive, reductive and binary, ie they divide the parties into camps; they reduce conflict to right/wrong, win/lose, attack/defend and they require black and white evidence so that a case can be proven or not

proven. Such rules and processes do not acknowledge that conflict can be creative, healthy and positive – that conflict can be functional and even transformational – when it is managed well. The CIPD (March 2015) agrees:

There may be some truth in the view that... formal procedures are ineffective because they encourage parties to set battle lines, fostering a zero-sum game mentality and making views more entrenched, instead of encouraging a more balanced and positive win-win outlook.

The bottom line is that, for the parties in conflict, it can be one of the most dreadful, painful and depressing experiences they have ever had. For those people required to manage a conflict, it can be baffling, complex, stressful, costly and time-consuming.

Resolution reflection

Think of a conflict that you have experienced at some point in your life:

- How did it start and how did it end?
- How did it feel?
- What impact did it have on the other person?
- Was anyone else affected by it and how?
- Did you use a formal process such as a grievance procedure?
- What impact did it have?
- How was it resolved?
- If you could go back in time and give yourself a piece of advice to help resolve the conflict, what would it be?

Here's my hunch: I bet you didn't go back in time and suggest that you take out a grievance against the other person or that you stop talking to them. Can I be so bold as to assume that you may have said 'act earlier' or 'talk to them' or 'listen to them'?

If early resolution, talking and listening are so innately the best way to resolve conflict, why are we so afraid of doing it? Perhaps it's the nature of conflict, perhaps we are confused about what conflict is and that leads to fear and paralysis, which inhibit the opportunities for dialogue.

What is conflict?

Conflict occurs when one person (or a group) perceives that another person (or a group) is preventing him or her achieving his or her needs or is blocking him or her from expressing his or her values and beliefs in a way that he or she thinks is reasonable. Conflict is a perfectly normal part of being a human being. It can be internal – inside our heads, or it can be external – with others. Often, internal and external conflicts feed off each other – that's why it can be hard to sleep when you are in conflict with a colleague.

In the above definition I use the word 'perceives'. Conflict pivots between functional or dysfunctional conflict based on our perceptions. Conflict management is about helping people to modify or 'reframe' their perceptions of themselves and of the other person. For example:

- 'They did it on purpose' becomes 'It's impacted negatively on me but I don't really know what their intentions were.'
- 'They are wrong' becomes 'Neither of us is entirely wrong nor entirely right.'
- 'They are a bully' becomes 'They have hurt me and I need them to stop.'

Conflict can be toxic, harmful and destructive. It can also be a powerful driver of change, learning and growth. We can choose to ignore it, complain about it, blame someone for it, or try to deal with it indirectly by gossiping and dropping hints. Or we can be direct, clarify what is going on, and attempt to reach a resolution. The key phrase in this sentence is that *we can choose* how to deal with it. There are numerous definitions of conflict and it is something of a complex area spanning social psychology, behavioural sciences and neuroscience. However, cutting through that complexity is important if organizations and their people are going to embed effective systems for managing it.

As mentioned earlier, as human beings we experience two forms of conflict. The first is the kind of conflict that goes on inside our minds – *internal conflict*. We may experience it when we have a difficult choice to make; when we are faced with a moral dilemma; or when we are tackling a tough personal problem such as ending an addiction or ending a relationship. The internal conflict occurs when part of you disagrees with the other part of you. This dissonance, or tension, can create strong feelings and emotions such as guilt, self-blame, shame, frustration and anger. We may feel like we are going crazy and that we can't make sense of the situation. The outward symptoms of a difficult internal conflict can include:

- Not sleeping properly (insomnia).
- Inability to 'switch off' or relax.
- Feeling tired all of the time (often because of the lack of sleep and inability to relax).
- Struggling to concentrate on tasks and during conversations.
- Irritability or mood swings.
- Physiological symptoms may include irritable bowel syndrome (IBS), eczema, weight gain/loss, increased propensity to pick up cold and flu bugs, feeling run down, backache and painful shoulders or necks, etc.

However, over time, we generally figure out how to resolve the internal conflict and we reach a decision or a resolution. Over time, sleep returns, the stress and anxiety dissipate and the issues, which seemed so tough and intractable at the time, mysteriously disappear and are forgotten. We move on and, hopefully, along the way we learnt something useful about ourselves. Unfortunately, in some instances of internal conflict, the resolution doesn't happen and it can lead to long-term mental health issues or worse.

Resolution reflection

Reflect on an internal conflict that you have experienced:

- What impact did it have on you?
- How did you resolve it?
- What did you learn from it?

The second kind of conflict that we may experience is conflict with others – *external conflict*. Managing external conflict is the main focus of this book. However, it is important to stress that external conflict can, and often does, result from an unresolved internal conflict. As a mediator, I understand that it is important to give all parties in a conflict time to work out their own internal issues: before, during or after they have worked out their differences with a colleague, a co-worker, a union representative, a boss or a customer. External conflict occurs when an individual (or a group of individuals), believe that another individual (or a group of individuals) is preventing him or her from achieving his or her needs or goals; preventing access to the

resources he or she requires to achieve his or her needs or goals; or preventing him or her from expressing his or her values or beliefs in a way which he or she considers to be reasonable.

When we are gripped by conflict (internal or external) our brain becomes a bit like a mad scientist's laboratory. A small almond-shaped part of our brain called the amygdala gets very excited and we experience a range of complex chemical events. In particular, we experience the release of a variety of hormones such as adrenalin and cortisol. (We are going to get to know these two hormones well and I will cover them in more detail in Chapter 6 along with some valuable insights and useful steps for you to use to help you resolve conflict using the principles of positive psychology and emotional intelligence.)

Conflicts can exist at any level of an organization and at any stage of its development. Conflict between two employees may arise from a disagreement about how to complete a particular task or a clash between their personal values, goals or expectations. Within a work team, conflicts can result from a change process, revised working practices, a lack of role clarity or a lack of coherent leadership. Within a project team, conflict may be due to differing priorities, competition over scarce resources, unclear objectives or remote working patterns. (See Chapter 3 for more detail relating to the causes of conflict.)

According to John Paul Lederach, distinguished conflict transformation expert and scholar: 'Conflict is normal in human relationships and conflict is a motor of change' (Lederach, 2003). He recognizes, as do I, that conflicts, when managed effectively can bring about lasting change – internally and externally. Lederach is one of the key drivers in the area of conflict transformation, a process that I describe simply as being a positive and lasting change in the way that we perceive ourselves and others.

Carl Gustav Jung, the Swiss psychologist and psychotherapist, also suggests that we need conflict in our lives to create stronger relationships:

The most intense conflicts, if overcome, leave behind a sense of security and calm that is not easily disturbed. It is just these intense conflicts and their conflagration which are needed to produce valuable and lasting results. (Jung, 1875–1961)

Jung and Lederach demonstrate deep insight into the nature of conflict and its potential impact on each and every one of us. They recognize that only if they are overcome can we realize the true benefit of conflict. For many of us, 'overcome' can sometimes seem a million miles away. My hope is that mediation and the concerted efforts of organizations to manage conflict better make the 'if overcome' clause more accessible, real and meaningful.

The two types of conflict

Table 1.1 The two types of conflict

Conflict state	Descriptor
Dysfunctional conflict	This is destructive conflict. It is harmful, stressful and costly. Dysfunctional conflict generates little, if any, benefit for the parties, their colleagues or the organization as a whole. Dysfunctional conflict may also be called affective conflict, bullying, mobbing, intimidation, harassment, oppression, discrimination, violence or confrontation. This kind of conflict rarely ends well. If left unresolved, dysfunctional conflicts will have a significant impact on the psychological, emotional and physiological wellbeing of employees and managers. It can be insidious, subtle, hard to define and hard to manage. It may be mistakenly written off as 'banter' or 'letting off steam'. Team leaders and managers need to explore ways of responding to dysfunctional conflict swiftly and robustly and be trained in setting boundaries and helped to address the language and the behaviours associated with dysfunctional and destructive conflict. This kind of conflict takes (and keeps) the parties into the 'ZONC' – The Zone of Negative Conflict. In Chapter 5, I explore the costs and the effects of destructive conflict in greater detail.
Functional conflict	This is constructive conflict. The parties are engaged in dialogue and they are focused on achieving an outcome that is mutually acceptable. The parties seek win/win outcomes and neither party wishes to cause harm to the other. It exists where the parties are willing to engage with one another to generate enhanced levels of insight, understanding and learning. Functional conflict requires open and honest dialogue, empathy, self-awareness and a willingness to change – to transform ourselves and our relationships with others. Functional conflict may also be called healthy disagreement, creative conflict, cooperative conflict or cognitive conflict. This is the kind of conflict that promotes flow and gets the parties into the ZOPA – the Zone of Possible Agreement. Functional conflict is most commonly associated with open and honest dialogue.

Functional conflict is a key component of high-functioning and high-performing teams (see Table 1.1). Conflict arises from differences between people; the same differences that often make diverse teams more effective than those made up of people with similar experiences. An office full of robots won't experience conflict but, conversely, they won't display high levels of innovation, insight and judgement. When people with varying viewpoints, beliefs, experiences, skills and opinions are tasked with a project or a problem to solve, the combined effort can far surpass what any group of similar individuals could achieve. Team members must be open to these differences and not let them turn into full-blown disputes.

Resolution reflection

You become aware of a conflict in your team between two colleagues:

- What do you do?
- What are your fears about dealing with the conflict?
- How will you understand the root cause of the conflict?
- How will you assess the impact of the conflict?
- What steps would you advise them to take to resolve it?

Understanding and appreciating the various viewpoints involved in conflict are key factors in its resolution. These are key skills for all team members, and their leaders, to develop. The important thing is to maintain a healthy balance of constructive difference of opinion, and avoid dysfunctional conflicts that can become destructive and disruptive.

Resolution recommendations

Effective conflict management is about giving people the space, time, support and resources to resolve their internal conflicts as well as their external ones. Getting to, and maintaining, that balance requires well-developed leadership skills, particularly the ability to resolve conflict when it does happen, and the ability to keep it healthy and avoid conflict in the day-to-day course of teamworking.

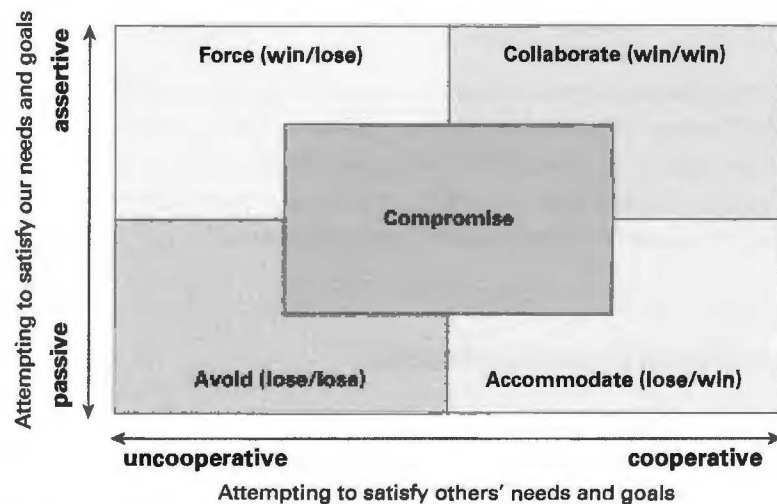
Conflict mode analysis

In 1974, Kilmann and Thomas identified five styles, or modes, for handling conflict that have become part of the vernacular of conflict management. They help us to understand how we and others relate to others during conflict. The styles are defined by how much our own needs and goals matter to us versus how much the needs and the goals of the other party matter to us:

- 1 Force.
- 2 Avoid.
- 3 Accommodate.
- 4 Compromise.
- 5 Collaborate.

Figure 1.1 represents the conflict mode analysis that I use when I am training mediators and leaders to manage conflict effectively, while Table 1.2 expands on Kilmann and Thomas's five styles or modes for handling conflict.

Figure 1.1 Conflict mode analysis



SOURCE Adapted from the Thomas Kilmann Mode Instrument

Table 1.2 The five styles or modes for handling conflict**Avoid – ‘The turtle’ (withdrawing)**

Turtles withdraw into their shells to avoid conflict. They give up their personal goals and relationships. They stay away from the issues over which the conflict is taking place and the people they are in conflict with. Turtles believe it is easier to withdraw (physically and psychologically) from a conflict rather than face it.

Compete – ‘The shark’ (forcing)

Sharks try to overpower opponents by forcing them to accept their solution to the conflict. Their goals are highly important to them and their relationship is of minor importance. Sharks seek to achieve their own goals at all costs. They are not concerned about the needs of other people. They do not care if other people like or accept them. Sharks assume that one person winning and the other person losing settles conflicts. Sharks want to be the winner. Winning gives sharks a sense of pride and achievement. Losing gives them a sense of inadequacy and failure. They try to win by attacking, overpowering, overwhelming and intimidating others.

Accommodate – ‘The teddy bear’ (smoothing)

To teddy bears the relationship is of great importance while their own goals are of little importance. Teddy bears want to be accepted and liked by other people. They think that conflict should be avoided in favour of harmony and believe that if the conflict continues, someone will get hurt and that would ruin the relationship. Teddy bears give up their needs and goals to preserve the relationship. Teddy bears say: ‘I’ll give up what I want and let you have what you want in order for us to get along.’ Teddy bears try to smooth over the conflict and avoid causing harm.

Compromise – ‘The fox’ (middle ground)

Foxes are moderately concerned with their own goals and about the relationship with other people. Foxes seek compromise. They give up a part of their goals and persuade the other person in conflict to give up part of his or her goals. Foxes seek a solution to conflict where both sides gain something – the middle ground between two positions. They are willing to sacrifice part of their goals and relationships in order to find agreement for the common good.

Collaborate – ‘The owl’ (building consensus)

Owls highly value their own goals and relationships. They view conflicts as problems to be solved and seek a solution that achieves both their own goals and the goals of the other person. Owls see conflict as an opportunity for improving relationships by reducing tension between two people. They try to begin a discussion that identifies the conflict as a problem to be solved. By seeking solutions that satisfy both themselves and the other person, owls maintain the relationship. Owls are not satisfied until a solution is found that achieves their own goals and the other person’s goals and until the tensions and negative feelings have been fully resolved.

Resolution reflection

Based on the five styles for managing conflict:

- Which of the five creatures in Table 1.2 represents your primary conflict style most closely?
- Do you have different styles at home and at work? If so why?
- Do you have a secondary style that you use if your primary style is unsuccessful?
- What triggers you to switch between different styles?
- If the owl is the most effective at managing conflict, what changes can you make to help you be an owl as often as possible?

Conclusion

Dysfunctional conflict is bad for business, it is bad for anyone who is required to manage it and it is most certainly bad for the disputing parties. The traditional systems for managing conflict are proving, time and time again, to be ineffective. Yet there seems to be a reluctance by organizations to fully embrace new approaches for managing conflict such as early resolution, resolution triage assessment, facilitated roundtable conversations and mediation. These approaches, are, as this book will demonstrate, proven remedies to conflict.

As the CIPD research has identified, and my own experience confirms, many managers and HR professionals are worried about working outside of a formal structured process for fear of damaging their prospects at a future hearing or litigation. Conversely however, they understand that their traditional discipline, grievance and bullying processes are ineffective and the evidence is incontrovertible. This Catch 22 situation could well be the catalyst for change.

There is a middle ground. It is possible to create a policy framework that also promotes resolution. That way organizations get the best of both worlds – they have access to a coherent procedure that is compliant with the ACAS Code and relevant employment legislation plus a policy framework that promotes dialogue, understanding and resolution.

One size doesn't fit all

Conflict at work is complex and multifaceted. It can span a relationship breakdown between two colleagues in a depot, and a labour dispute over pay and conditions across an entire railway company. Yet behavioural, relationship and contractual issues are dealt with using the same litigation-inspired, quasi-judicial, rights-based remedies. Our reliance on a single grievance procedure to resolve all the intricate, diverse and complex issues that a modern, progressive organization faces is both unrealistic and untenable. This is the root cause of dysfunctional conflict in our organizations and it is the reason I have written this book.

References

- CIPD (2015) *Conflict Management: A shift in direction?* CIPD, London, p 12
- CIPD (2015) *Getting Under the Skin of Workplace Conflict: Tracing the experiences of employees*, CIPD, London, p 13
- Gibbons, M (2007) *Better Dispute Resolution: A review of employment dispute resolution in Great Britain*, DTI, London
- Jung, C G (1970) *Structure and Dynamics of the Psyche: Vol 8, Collected Works of Jung*, eds G Adler, M Fordham and H Read, Princeton University Press, Princeton, NJ
- Kilmann, R and Thomas, K W (1977) Developing a forced-choice measure of conflict-handling behavior: The 'mode' instrument, *Educational and Psychological Measurement*, 37, p 309
- Lederach, J L (2003) *Little Book of Conflict Transformation*, Good Books, Skyhorse Publishing, New York
- Saundry, R *et al* (2016) *Managing Individual Conflict in the Contemporary British Workplace*, ACAS, London