

Managing conflict at work



Conflict arises when people realise that the world and the people in it, are not quite as they thought they were. It involves a struggle between the self and others and people react to it in very different ways. **John Crawley, Director of Basingstoke-based Conflict Management Plus Ltd**, advises how to deal with conflict in the workplace.

Conflict at work is most likely to happen during periods of change, as boundaries shift and the norms are tested. As any business grows its people become more diverse. New teams are formed, new staff recruited, additional leaders developed or imported. Familiar dynamics and relationships shift to accommodate new people. People who know and understand the company way are joined by those who are new and to some degree outsiders. People new to the organisation want to belong and need to conform, but also bring distinctive ways and ideas, which it is not in the interest of the company to entirely

stifle. A workforce undergoing change offers opportunities of increased efficiencies, new and dynamic ideological synergies but also an increased risk of conflicts of work style, culture and behaviour.

Conflicts in a changing organisation are difficult to predict, like a virus, and the fact that you do not currently have one is no protection for the future. Intractable conflicts transcend the practical and become personal. At senior level this punctures confidence and can seriously damage mutual trust. In teams interpersonal conflict can ruin the good foundations of team-building, training and good HR and employment policies. Individuals

in conflict with your organisation can create havoc.

An organisation-wide response to Conflict Management and Dispute Resolution

Some people view a conflict as an opportunity to prove themselves as superior, and to diminish others as a result. Many organisations are adversarial in nature and when in direct conflict will do anything to destroy the competition. In an increasingly individualised society there is a high premium on keeping ahead, asserting our own needs, and winning. When you are working with people in con-

flict situations sometimes it will feel as though a battle is inevitable, and that the only possible resolution involves winners and losers. Some people will not even participate in the conflict for fear of losing. This is ultimately not a productive approach in the workplace where co-operation is essential, and where there are a number of other people's needs to balance against our own priorities.

Co-operative (win/win) conflict.

Firstly let us scotch the idea that competition is an inescapable feature of the human condition. It is not predetermined. Given the skills and a new

outlook we can adopt a more co-operative approach to conflict. Co-operative conflict is full of opportunities, and is primarily future focused. It is more concerned with designing new outcomes, and creating more effective working relationships than settling arguments about right and wrong, or attributing blame.

Achieving win/win conflict resolution

1. Get involved in difficult conversations early.

If you notice something not being done as you'd instructed, receive some behaviour you do not welcome or notice some colleagues having a difficult interaction – act don't avoid.

2. Stay positive

Imagine what life would be like if you handled this well, to your satisfaction and that of the others involved. Banish worry (worry never made anything better) and guilt (locking us into the past and casting clouds on the future). Focus on the now, and even if it doesn't work out as planned, you tried your best.

3. Try to understand where the other person is coming from

Maintaining empathy during a disagreement is extremely difficult. If you can do it you will be more balanced in your approach, and others will react positively to you paying attention and trying to understand them. Before you speak imagine what type of response you might get.

4. Create a process fit for purpose

If you need a quiet chat, find a quiet place. If you need confidentiality suggest it. If you want a dialogue then structure in speaking and listening time, pauses for thought, and be clear when you are moving from identifying issues to identifying solutions.

5. Don't get shocked get listening

When people say surprising things, make inappropriate comments it's very tempting to react, fight back, or even run away. Why not ask a ques-

tion "What do you mean when you say you think my work is useless?" Reflect back what they've said in neutral language "So you think my work is not up to standard?"

6. Invite them into your world

In conflicts people adopt a position about what they need based on their needs. "I want an apology." "I want you disciplined." "I want blood." It's much easier to adopt a position to an enemy, a stranger, someone who seems completely different to us. Most people will modify their position if they at least understand why you are acting and feeling the way you are, and what intention you had, even when the impact of what you did has been negative. Help people see your perspective by asking them "How do you think I feel when you say that?" "Can you at least understand why I did that?" "What would you think if you were in my shoes?"

7. Move from the 'blame frame to the aim frame'

In a conflict we often want to blame the other person. Our language takes on the edge of a critical parent or the tone of a superior. Do your best to say what you need

from the other person rather than what you think of them.

8. Maintain a balance

Remember no-one is entitled to everything – at work everyone is asked to do things they do not like, experience scarcity of attention and reward, have limits set on their behaviour. In most conflicts, even when one person is being more difficult, it is best to take all perspectives into account when deciding on a way forward. Explain the reasons for action and be consistent.

9. Create workable agreements

When resolving a dispute you need to remember where you came from. One small concession can dissolve an iceberg of hostility. A relatively slight shift of behaviour from negative to positive, from adversarial to conciliatory, can make a big difference against a background of hostility and low rapport. The best agreements, as well as be-

A workforce undergoing change offers opportunities of increased efficiencies

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Clare Waller, a Partner at Hawkins Russell Jones, a leading law firm with offices in Welwyn Garden City and Hitchin, assesses the changes to The Companies Act 2006 in relation to directors duties. She will discuss the provisions relating to conflicts of interest that are due to come into force in October 2008 in an article later in the year.



NEW DIRECTORS' DUTIES EXPLAINED

Directors have many business responsibilities for ensuring the success of their company, in areas such as health and safety, employment law and tax. However too often directors are unaware of the extent of the responsibilities that they are assuming when they become a director of a limited company and the implications of not taking those responsibilities seriously enough.

The amendments to the law in relation to directors are designed to make these duties easier to understand and improve awareness of them.

Key duties for directors include:

1. To act within powers

This simply means that a director must act in accordance with the company's constitution, as contained within its Memorandum and Articles of Association.

2. To promote the success of the company

This clause has provoked a significant amount of debate because as well as the general duty to promote success there is a checklist of specific, non exhaustive, factors which a director must have regard to when making decisions on behalf of the company. These include the long term consequences of the decision; the interests of the company's employees; the need to foster relationships with suppliers, customers etc; the impact of the company on the community and the environment; the desirability of maintaining a reputation for high standards of business conduct and the need to act fairly between the members of the company.

There has been some controversy over what is meant by 'success'. For example is this to be measured in

financial terms only? If so, is that short term or long-term? My advice to directors would be to ensure that discussion documents or board minutes record the fact that these issues have been considered in order to show compliance with this duty.

3. To exercise independent judgement

This is not intended to prevent directors from delegating powers. They will still be able to rely on the advice of others providing that they exercise their own independent judgement to decide whether to accept that advice.

4. To exercise reasonable care, skill and diligence

This duty will be assessed against a combined objective and subjective test. It will consider whether a reasonably diligent person of the calibre expected of someone carrying out the functions of a director, combined with their own knowledge, skills and experience would have acted in that way.

It is still early days in the implementation of these changes and it is unlikely to herald a significant change to the scope and extent of those responsibilities imposed by the previous common law. However, there are definitely areas of concern in connection with the scope of the duty to promote the success of the company which will need to be clarified by case law. On the positive side it is undoubtedly going to be useful for both existing and new directors to have a single and comprehensive statement of the duties connected with their statutory role.

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