

Dispute Resolution: Guide for Line Managers

This guide covers:

- introduction
- how to proactively resolve issues
- local resolution
- workplace mediation
- resolving an issue through investigation
- how to access support

This guide has been designed to assist Line Managers through the dispute resolution process.

Introduction

Issues and problems can often be resolved quickly through discussion with colleagues and Line Managers. There is an expectation that every effort will be made to resolve matters in this way. In some circumstances, for example if the issue is serious in nature, or if local resolution and/or workplace mediation have been unsuccessful, it may be appropriate for the issue to be investigated, in line with the [Dispute Resolution Procedure](#).

As the Line Manager, you are expected to signpost your team members (whether they are the individual raising the complaint, the subject of the complaint or a witness) to support services throughout the dispute resolution process.

How to proactively resolve issues

If you act on early warning signs and talk to individuals as soon as issues arise, for example, if they notice that an individual is unhappy or withdrawn, this can help resolve an issue before it escalates.

Things to consider:

- monitor team relationships. Tension can arise in any team, but be alert to any signs that serious conflict is developing. Many disputes start as mild disagreements which appear to be resolved or forgotten straight away. However, just because a disagreement isn't visible doesn't mean it has been

resolved.

- be confident to challenge any hint of inappropriate behaviour (for example, a sexist remark or personal insult) immediately. This will send a clear message to your team that unfair treatment, like bullying, is not tolerated.
- have regular one-to-ones, and try to create an environment in which people feel comfortable discussing their concerns about projects or issues in team meetings.
- if you have noticed potential conflict, be prepared to step in and talk to the individual/s involved as soon as you are aware there is a problem (irrespective of whether it is a performance or behavioural issue). In many cases the person might be unaware of how they (or their behaviour) is perceived by others and will quickly – and positively – respond to a quiet word. If it is a performance issue causing conflict (like poor timekeeping), encourage a conversation to understand if there is in fact a deeper, underlying problem (for example, a health or personal issue). You should keep a record of these conversations.

Local resolution

Despite the preventative measures explored above, conflict can still develop. If it does, you will need to take action to resolve it early.

Local resolution is where yourself and the individual(s) involved discuss the issue or complaint. This is quick, responsive and confidential as no investigation is needed and there are no other parties, such as note-takers or witnesses, involved. Yourself and the individual(s) can take time together as soon as the problem or complaint is raised, allowing an opportunity to talk through the issues and potentially resolve the matter quickly. You should keep a record of these conversations.

Management action can be taken in a number of ways. The most appropriate action will depend on the details of the issue. You will need to carefully consider the issue or complaint before suggesting resolutions or making decisions.

When seeking to resolve a complaint, you need to make sure that the options they put forward are things that they have the authority to change, do or adopt.

Issues and problems at work that can result in complaints usually come under two broad categories: relationships, and management or organisational decisions.

Relationships

If a complaint is about a colleague, it might be about either:

- behaviour, or
- a decision they have made

You need to consider whether:

- coaching or mentoring might help the respective individuals involved to better manage relationships;
- learning more about diversity might help the respective individuals involved to accept difference;
- line manager intervention to deal with relationships outside of the team might be helpful where these are the cause of difficulties;
- workplace mediation would be effective.

You should seek [HR Casework](#) advice if you are unsure.

Management/organisational decisions

If a complaint is about a management/organisational decision, extra time may be offered to the individual to explain how and why organisational and management decisions are made. Before discussing these types of issues with the individual, you will need to consider:

- whether the issue is linked to a legislative change;
- the effect of the decision on the individual(s);
- whether it was intentional or not;
- whether an organisational decision or policy has been correctly applied;
- what outcome the complainant is looking for.

You should seek [HR Casework](#) advice if you are unsure.

Workplace Mediation

You can also suggest [Workplace Mediation](#) to resolve an issue. Mediation is voluntary, however it is strongly recommended that individuals attempt mediation as part of the dispute resolution process. Mediation is most effective when used earlier in a dispute, before people become fixed in their position, as it provides a positive opportunity to resolve practical problems and is cost and time efficient in resolving issues. It empowers people to work together to resolve issues, and can therefore be less stressful and have a less negative impact on morale. Mediation can also be successful in later stages after an investigation has concluded to help people rebuild relationships.

Mediation can take place between colleagues or Line Managers and their team member(s). It is usually between two parties, but mediation can also work for groups. Mediation can be used to resolve a range of issues including a breakdown in relationships.

Mediation can help two or more people in dispute attempt to reach an agreement. If two or more people agree that there is conflict, the steps in the process are:

- agree to attend mediation as an option for resolving the issue;
- individually attend a meeting with independent trained mediators;
- collectively attend a meeting to state how each party see the problem and how it might be resolved;
- engage with the mediator who will work through the issues confidentially and confirm agreements with everyone as they are reached.

Resolving an issue through investigation

It is expected that individuals and Line Managers will try to resolve issues through local resolution and/or mediation in the first instance. If you are unable to resolve an issue in this way, you may want to discuss it with your own manager who might be able to suggest a way forward. You can also contact [HR Casework](#) for support and advice on how to resolve an issue and whether an investigation into the issue/complaint is necessary.

If all other avenues have been exhausted and/or are deemed inappropriate (for example, due to the serious nature of the issue), an investigation can be initiated.

In most cases, the individual will request an investigation, in writing, to you as their Line Manager. If you receive the complaint, you will become the Decision Maker for the case. However you must not act as the Decision Maker if you could reasonably be perceived as:

- being somehow involved in the dispute;
- being biased or having a personal interest in the outcome of the case.

In such cases you should pass the dispute to your countersigning manager or to a different, independent manager to deal with.

If you do become the Decision Maker, you should familiarise yourself with the '[Guide for Decision Makers](#)'

Deciding the outcome

It is the Decision Maker's responsibility to decide the outcome of the dispute, based on the evidence put forward.

How to access support

Dispute resolution can be difficult and stressful for those involved, including the individual raising the concern and the subject of the complaint. As the Line Manager, you should signpost those involved to support services available, and also remember that support is available for you too.

There are various sources of support available throughout the process:

Fair Treatment Confidant	Provide advice on how to raise a complaint and on available support
Employee Assistance Programme (EAP)	Provide advice, counselling and legal services
Mental Health First Aider	Can offer initial support through non-judgemental listening and guidance to those who are experiencing a mental health issue or emotional distress.
Workplace Early Resolution Helpline	Confidentially discuss issues that may feel uncomfortable and identify options to ensure the best early positive action is taken.
Trade Unions	Members can seek advice from their representatives.
Staff Networks	Different networks may be able to offer additional support.

HR Casework Service	Offer guidance on how to raise a concern under this policy.
ACAS	ACAS provides free and impartial advice on a range of workplace issues. Access their website at acas.org.uk or call their helpline on 0300 123 1100.