**Resolution Policy**

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**Introduction**

[Name] is committed to fostering mutual respect and understanding with all of our employees: between colleagues, between colleagues and their managers, and within teams. This is even more important when we experience a conflict or a dispute in the workplace. We recognise that conflict in the workplace is normal; in many cases it is inevitable and when it is managed well it leads to healthy, resilient and positive relationships.

When conflicts or disputes do happen, we will foster a culture and a workplace where all parties can engage with each other constructively. We aim to support staff and managers to work together to resolve any disputes and conflicts constructively and speedily. This policy encourages early resolution and offers a collaborative system of dispute resolution that balances the rights of the parties with their interests and needs; it brings the core principles of mediation to the forefront of dispute resolution and encourages constructive resolution at every stage of a dispute. Any dispute should be treated in a fair and consistent way and dealt with quickly and supportively.

We recognise that a positive working environment and good working relationships have a positive impact on employee wellbeing, employee engagement and customer experience. A positive working environment can also lead to better performance, improved employee retention and reduced stress–related sickness absence.

**Core Principles**

This policy is a formal method for resolving disputes, complaints, conflicts and allegations of bullying or harassment. It may be used in individual disputes, team disputes and in collective disputes. This policy meets and exceeds the minimum standards set out in all relevant legislation and in the ACAS Code on Discipline and Grievance. This policy also reflects our corporate values.

In summary, focusing on resolution is good for our organisation, it is good for our employees and it is good for our customers. This policy draws on five core principles:

1. Dialogue – building dialogue between people to help them to resolve disputes, conflicts and complaints.
2. Fairness – giving all employees access to a fair and dignified approach for managing disputes, conflicts and complaints.
3. Mutual respect – recognising that disputes, conflicts and complaints can be challenging and that we encourage a respectful approach at all times to assist with their resolution.
4. Collaboration – we actively encourage the parties in a dispute, conflict or a complaint to work together to identify, agree and implement a shared solution.
5. Timeliness – we will seek to resolve all workplace disputes, conflicts and complaints in a timely manner and will, wherever possible, avoid any unnecessary delays.

**What does resolution mean?**

The first meaning of resolution is that the situation will be resolved to everyone’s satisfaction. The second meaning of resolution is that the parties involved in the process will be determined to implement whatever is agreed.

We believe that a resolution that is secured by the parties themselves is more likely to be mutually acceptable and to endure over the longer term than one that is imposed. In the case of a forced resolution, it is often the case that one side perceives that they have won and the other side perceives that they have lost.

**Applications of the resolution policy**

This resolution policy aims to bring complaints, conflicts or disputes to a satisfactory and constructive resolution speedily and effectively. *Wherever possible, the resolution policy places responsibility for the resolution of conflicts and disputes directly with the people involved*. To assist resolution, the organisation will provide such support as is required. The resolution policy is suitable for the following types of issue (which are intended to be examples, not an exhaustive list):

* Disagreements and disputes between colleagues.
* Disagreements and disputes within or between teams.
* Disagreement and disputes between mangers and members of their team.
* Concerns or complaints about the allocation or distribution of resources.
* Concerns or complaints about the actions or inactions of the employer; about terms and conditions of employment; health and safety; new working practices; the working environment; and/or equality of opportunity.
* Disputes between local union representatives and managers.
* Allegations of bullying or harassment.

**How the resolution policy works – a summary**

Rather than submitting a grievance, we now refer to the initial stage of the process as making a request for resolution. A request for resolution should be made to an appropriate person: a HR professional or your line manager or your line manager’s manager (if the issue is with your line manager).

A request for resolution should contain the following minimum information:

* A clear statement that it is a request for a resolution under this policy
* Details of the reasons why the resolution is sought
* Details of what resolution the person making the request seeks initially

A request for resolution should be typed on no more than two sides of A4 with a size 12 font adequately spaced. The reason we restrict this is because a clear and concise request is more likely to result in a satisfactory resolution than a lengthy or convoluted one. We reserve the right to ask that a request is remade if it does not comply with this policy.

The request should be marked *Request for Resolution – Private & Confidential* and sent to [email address].

The HR team administer the resolution policy, and requests for resolution will be communicated to the HR team and a copy of the request for resolution may be provided to them. The request for resolution may result in one (or more) of the following courses of action:

* Encouragement to engage in an early resolution meeting (direct face – to – face talks) between parties.
* A resolution triage assessment of the case to identify the most appropriate route to resolution.
* Support from one of our team of resolution officer.
* A facilitated conversation chaired by one of the organisations HR team and/or a union rep and/or a manager.
* Independent mediation delivered by a fully trained and accredited mediator.
* One-to-one coaching.
* A team conference in the case of team disputes, collective grievances and collective disputes.
* A formal resolution meeting to offer a determination of the case in the event that the above steps are unsuccessful.

**Resolution officer**

Where possible, we will provide both parties with a nominated resolution officer once the request for resolution has been submitted. This person has been trained to work with all parties throughout the resolution process. They are not necessarily there to facilitate or to mediate. However, they will be able to provide impartial advice and guidance for all parties where it is required. Resolution officers do not give legal advice or undertake an analysis of the merits of a case. The resolution officer’s role is to:

* Support all parties throughout the resolution process;
* Answer any questions that the parties may have about any element of the resolution processor this resolution policy;
* Signpost the parties to any additional support that may be beneficial as part of the resolution process;
* Provide support once the resolution process has concluded for a period of time that will be agreed between you and the resolution officer.

**Details of the approaches available within the resolution policy**

**Early resolution meeting:**

The resolution meeting is an early attempt to identify and resolve a dis-agreement, a conflict or a dispute. It provides an opportunity for managers, employees and colleagues to discuss situations in a supportive, constructive and empathetic forum.

Most workplace disagreements, disputes and conflicts can be resolved at the resolution meeting stage. Managers should be trained to be conflict competent. In particular, they should receive training in the skills necessary to facilitate resolution meetings.

If the involvement or support of an independent third party is required, see the sections entitled ‘Facilitated roundtable conversation’ or Mediation’ below for more details.

**The resolution triage assessment process:**

The resolution triage assessment is an opportunity for a manager and/or the HR department to identify the most suitable route to resolution. The process commences once the employee has submitted a request for resolution and where early resolution has been unsuccessful or has not been attempted. During the resolution triage assessment, emphasis should be placed on early resolution, including the roles of roundtable facilitation and mediation. The employee should be provided with suitable information about facilitated roundtable conversations, mediation and additional resolution processes such as coaching. The employer should encourage and promote mediation as widely as possible to ensure that is it viewed as a credible and constructive response. The parties should be allocated a resolution officer where this role exists.

**Facilitated roundtable conversation:**

The facilitated conversation or a roundtable meeting may be led by a senior manager, a union official or an HR professional. In some cases, it may be chaired jointly. The facilitated roundtable conversation is a confidential discuss between all parties that draws on the same principles as mediation. However, it is less formal than mediation and can be used to bring parties together at an early stage of the dispute. The facilitator acts neutrally and creates the conditions for dialogue. The facilitator encourages the parties to engage in a constructive dialogue and to listen actively. It is a solution-focused process with the aim of helping the parties to reach a mutually acceptable outcome.

**Mediation:**

Mediation is a non-adversarial way of resolving difficult situations. It is used as an alternative to formal or legal processes. The FAIR Mediation Model is the model most commonly used across UK businesses; it stands for:

* Facilitate
* Appreciate
* Innovate
* Resolve

The mediator is an impartial third party who helps the two or more parties have an open and honest dialogue, with the aim of identifying a mutually acceptable outcome: a win/win outcome. The mediator may be a trained line manager or an internal or external mediator. To ensure the highest quality standards, it is important that the mediator is trained to an accredited standard and engages in continuing professional development.

Mediation is different because it is about collaborating rather than blaming. Any agreement made during mediation comes from those in dispute, not from the mediator. The mediator is not there to judge, to say one person is right and the other wrong, or to tell those involved in the mediation what they should do.

Mediation is both voluntary and confidential. However, it is reasonable for an employer to expect employees to consider using mediation and to avoid rejecting it out of hand.

**Investigation:**

An investigation can be invoked as a result of the triage assessment stage of when employees have a complaint or concern that they feel has not been resolved satisfactory by a resolution meeting, a facilitated conversation or through mediation.

If an investigation is deemed suitable and necessary, the organisation should follow its own internal investigation procedure. The key purpose of the investigation is to discover all the relevant facts and information in a fair, reasonable and objective manner.

Investigators should be trained in setting up, running and reporting on a workplace investigation. In addition, they should be aware of the role and benefits of mediation. In this way, should the need arise, the investigators can refer the parties back into the resolution process.

Recognising that even the best run investigations can be challenging and stressful, mediation should be made available throughout the investigation process. The organisation should have an investigation policy that provides a quality framework for all workplace investigations.

**Conflict coaching:**

Conflict coaching is a solution-focused process that promotes empowerment, reflection and a focus on the future. It offers a safe space for managers or leaders to increase self – awareness and transform the way in which they handle conflict and change. Conflict coaches should be professionally trained and can come from inside or outside the organisation.

Conflict coaching fosters a culture of collaboration and dialogue and complements the organisations resolution culture. Managers and leaders who are required to handle conflicts and change often benefit from one-to-one coaching.

**Formal resolution meeting:**

In old money, the formal resolution meeting is a grievance meeting. This is an opportunity for the employee to meet with his or her manager, HR representative and others to identify a suitable resolution to the situation. The meeting should be run with the same principles as early resolution meetings and, in particular, the meeting should be chaired by an HR professional or a manager who is trained in facilitation skills and/or core mediation skills.

The outcome of the meeting will be a formal recommendation for resolution, and, in most cases, this will be agreed between the individuals and other attendees during the meeting. Employees have the right to appeal the outcome of the formal resolution meeting. This should be made clear to the employee at the outset. In any event, if formal disciplinary action is taken, the employee will have the right of appeal as set out in the ACAS Code on Discipline and Grievance.

**Team conferencing:**

Team conferencing is a non-adversarial process used for resolving disputes within teams or as part of collective grievances, and to resolve allegations of bullying or mobbing within a team. Team conferencing can be defined by four core principles:

1. It is fully inclusive, ie everyone who is affected by the situation is involved in the conference
2. It is non-adversarial and promotes collaborative and interest-based problem solving
3. It is led by a neutral facilitator(s) who manages the process and ensures that all participates have a full and equal stake in the process.
4. It is confidential, ie nothing that is said during the team conference will be disclosed to anyone else.