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The myth of devolution? The role of HR practitioners in the management of workplace conflict

Conference Paper

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Summary

The management of workplace conflict has not featured prominently in the HR profession's pursuit of greater legitimacy and influence. Instead, the resolution of individual employment disputes has been seen as the type of 'transactional' activity that is ripe for devolution to 'the line'. There is a strong case for arguing that front-line managers are best placed for 'nipping issues in the bud' and resolving conflict at the earliest possible point. However, research to date has cast doubt on the preparedness of managers to take on this responsibility (Jones and Saundry 2012, Saundry et al 2016). This paper draws on Acas-funded research into the attitudes of HR practitioners to examine the nature and extent of devolution and explore how this shapes the response of organisations to workplace conflict.

The limits of devolution

Although it has been assumed that responsibility for handling conflict has progressively moved from HR to the line, the evidence for this is less clear cut. Authors writing in the late 1990s and early 2000s pointed to HR practitioners retaining a substantial involvement in dealing with workplace disputes (Hall and Torrington 1998, Whittaker and Marchington 2003). Moreover, while data from the Workplace Employment Relations Survey 2011 suggested greater decentralisation of employment relations, 92% of workplace HR managers still spent time dealing with disciplinary and grievance issues (Van Wanrooy et al 2013).

It can be argued that devolution has been constrained by concerns that line managers lack the skills and confidence to manage people issues in general and workplace conflict specifically (Hunter and Renwick 2009, Teague and Roche 2012). Line managers are often recruited and promoted on the basis of technical rather than people management competencies. Moreover, HR practitioners have a fairly negative view of the abilities of line managers to handle and resolve conflict. Despite tentative evidence of organisations placing greater emphasis on training their managers to deal with 'difficult conversations' (Saundry et al 2016), a recent survey of CIPD members revealed that just half felt that 'senior leaders' were 'very' or 'somewhat effective' in 'managing difficult conversations'.

This fell to 38% in respect of ‘conflict management’ – the lowest score of 15 competencies covered by the survey (CIPD 2015).

As a consequence, it is suggested that many HR professionals continue to play an interventionist ‘hand-holding’ role in supporting unskilled, unwilling or intransigent line managers (Pritchard 2010). However, to place the blame for this on front-line managers alone fails to take account of the increasingly extensive and complex people management challenges that they face. The contemporary emphasis on more robust approaches to the management of absence and performance makes it more and not less likely that managers will find themselves having to have ‘difficult conversations’ with their subordinates. For example, recent Acas research (Saundry and Wibberley 2014, Saundry et al 2016) has pointed to the prevalence of conflict in which attempts to manage perceived poor performance spin out into accusations of bullying and harassment. In addition, it can be argued that HR practitioners might be reluctant to relinquish their long-held roles as originators and controllers of organisational procedure, particularly given concerns over legal exposure. Certainly, the prevalence of written procedures has not diminished (see Wood et al 2014) and this potentially provides HR practitioners with the ability to curb the tendency of some line managers to operate outside of process.

The range of skills needed to manage conflict should not be underestimated (Renwick and Gennard 2001), and it would be a mistake to assume that all HR practitioners themselves possess conflict management expertise. Indeed, the CIPD has argued that *‘many HR managers lack confidence in developing informal approaches to managing conflict and continue to be nervous about departing from grievance procedures’* (2015, p3). Therefore, it is perhaps not surprising that WERS 2011 found ‘considerable evidence’ of a greater reliance among workplace HR managers on external legal advice (van Wanrooy et al 2013).

Overall, the case for devolution rests on the argument that line managers are best placed to resolve workplace conflict. Although this may be true, in a context in which legal and procedural compliance cannot be avoided, sustainable devolution ultimately depends on line managerial capability and confidence. However, the evidence to date raises significant doubts as to the conflict competence of front-line managers and therefore poses important questions over the viability and desirability of passing responsibility for conflict management from HR to the line.

The research: the myth of devolution?

To explore this issue in greater depth, we conducted a total of 31 semi-structured interviews with HR practitioners, drawn from a wide range of different organisational contexts and representing varied levels of seniority. In doing so, we explore three possible ‘devolution myths’: devolution works; devolution happens; and that devolution is right.

Does devolution work?

For most of our respondents conflict management was seen as just the type of operational issue for which line managers should have responsibility. Devolution was not only necessary but central to a broader project to allow HR to focus on what one respondent called the *'more strategic stuff'*. Crucially this strategic work tended to focus on employee resourcing rather than employment relations:

'So we've done a lot of work in the past five, six years around upscaling line managers so they are responsible for the kind of day-to-day running of their people and we try and not triangulate any more.... So employees then go to their line manager over the people issues so the HR piece is around kind of creating long-term people plans, around the capability of the business, around succession planning, talent management, manpower planning.'

A recurring theme within the sample was that close relationships between HR and line managers created an unhealthy dependency. From this perspective, the HR role in relation to conflict was seen as 'nannying' or 'policing', which, while protecting line managers and their organisations from risk, also curtailed their autonomy and development. Consequently, the withdrawal of HR to a more advisory as opposed to a regulatory role could be empowering:

'...it's really disempowering for a line manager if they're kind of only allowed to do half their job and then they're hauling in HR to do the other half. And then we get a bit of a bad press because we're seen as the police coming in.'

However, the research lent further weight to previous studies that have identified a lack of confidence in handling conflict. In part, this reflected the importance placed on technical competences in the recruitment and development of line managers, but was also exacerbated by pressures to prioritise production imperatives over people issues:

'One thing that's always noticeable is that the production staff are very focused on production. They're focused on their targets of getting the output, meeting the customer orders.... So the people issues, the relationships, the communication, is always second to them.'

As a consequence, managers were often reluctant to address and resolve conflict at an early stage, forcing HR practitioners into reactive approaches to issues if they escalated. This was particularly evident in the management of poor performance. In many cases, such matters were ignored or swept under the carpet because of a fear of resistance, recriminations and accusations of bullying:

'We've got staff who've been here for years and allowed to do whatever.... Then we've got new line managers who have new ways of working, want to bring all of these ideas in and there's just so much resistance. The minute the manager asks their team how it's going to be, and then it's like "how dare they?" ... So now I am going to complain about them because I feel bullied.'

Does devolution happen?

This lack of confidence and capability meant that in the majority of organisations in our sample, HR practitioners were not able to 'let go'. In a number of organisations, there was evidence of informal processes being formalised and the widespread use of management tools – such as checklists, flowcharts, and templates. In some respects, this reflected a lack of trust of HR practitioners in their line managers – extending control into disciplinary and grievance processes, even if, in theory, authority and responsibility were devolved.

For example, in one large organisation with a remote HR function, HR was the 'keeper' of a range of forms, structured conversations and scripts for line managers to use in a variety of 'conflict' situations. This was underpinned by the compulsory use of online technology, through which managers uploaded a range of information, such as fit notes, return-to-work interviews and the notes of informal disciplinary meetings. All personnel files were held electronically by HR and line managers were explicitly told that they could not keep any records (including telephone contact numbers).

Some respondents felt that despite the rhetoric, the reluctance to trust line managers and cede control was deeply embedded in the psyche of the HR profession:

'...a lot of HR practitioners ... like the policing role and they like that kind of authority and power that comes from that and it's awful and it's hard to break ... they're grown-up, responsible managers, they know how to manage their business, what makes us think that we know any more than they know?'

HR practitioners tended to view managerial competence through a prism of compliance rather than creativity. Thus good managers were those that were capable of working within policy and procedure, but others needed to be controlled, monitored and regulated to rein them in from their natural tendencies and 'gut instinct'. In some respects, while HR practitioners had rejected their role in 'hand-holding' of line managers, this had been replaced by longer 'reins'. Even when responsibility for decisions was left with line managers, the surrounding framework for decision-making was constructed for them, and controlled, by HR.

Is devolution right?

While a more interventionist approach was generally seen as regressive, some respondents made a much more positive case for the need for HR to retain an active role

in managing conflict and employment relations. The rationale for this was threefold: first, in certain contexts, it was suggested that real devolution was unrealistic given the expectations and pressures placed on some line managers. For example, practitioners in the NHS argued that ward managers, staff nurses and others simply did not have enough time either to resolve issues informally or take full responsibility for the formal aspects of conflict management. Similarly, in another public sector organisation, managers in a highly pressurised area were expected to conduct fortnightly one-to-one chats with their team members to manage performance and prevent conflict developing.

'I think the expectation of thinking that they'll be able to pick that up and really run with all that and they've got the time to do it is never going to work.'

Therefore there was a sense that managers were being asked *'a bit too much.... You're an expert in absolutely everything, including HR.'*

Second, there was a concern that important technical specialisations could be crowded out by people management issues. This was explained by an HR practitioner in a medium-sized organisation, which had grown relatively quickly. While there was a need to develop the abilities of managers to identify and resolve conflict at an early stage, it was argued that HR should retain a major role in the operation of formal procedures to allow line managers time and space:

'...the breadth of their role becomes too administrative ... that's not their forte and that's not what they're in situ for. To hamstring a creative, capable person with a procedural millstone is, I would say, is equally detrimental.... There will be stuff where we will just sometimes take control and take ownership ... when we have the skills and the experience and the expertise to deliver something, it makes zero sense to pass that responsibility over on to somebody else.'

Furthermore, among HR practitioners tasked with providing employment relations advice, there was consensus that a closer relationship with line managers was critical in not only managing very complex conflicts but in providing them with the confidence to resolve issues as early as possible.

Finally, given the contemporary importance of workplace fairness, an active role for HR in managing conflict should be central to effective formulation and delivery of organisational strategy. In one large, national organisation, devolution had led to 'inconsistency' breeding 'unfairness', which had required a much more interventionist approach on employment relations issues:

'Everything was so devolved, and disparate ... that there was a real issue around consistency and treatment ... a lack of control, a lack of visibility from the centre, so I'm trying to take some control back on what has been pretty much a free-for-all.'

Conclusions – implications for policy and practice

In theory, the drive to devolve responsibility for the management of conflict places the onus for early and informal resolution in the hands of front-line managers, leaving HR practitioners to provide specialist support in relation to procedural application and legal compliance. However, our evidence suggests that beneath the surface, meaningful devolution is hard to find. Instead, many line managers still lack the confidence, capability and also the time to manage people proactively and effectively. Consequently, a 'bogus autonomy' has developed through which HR retains control, but which strips out any relational dimension. This in turn threatens to erode trust between HR and the line, which is fundamental in resolving workplace conflict.

While more (and improved) training for line managers is to be welcomed, the key to closing the 'confidence gap' is building closer relationships between HR and the line. Unfortunately, this is made difficult by a view held by many practitioners that equates proximity with managers with 'dependence' and strategic irrelevance. This narrative needs to be replaced by one that challenges a 'one size fits all' version of devolution and accepts that HR practitioners can, and should, play an active role in delivering better work and working lives.

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