Institution: University of Central Lancashire

Unit of Assessment: UoA019 Business and Management

Title of case study: Working with Acas - informing advice, policy and guidance

1. Summary of the impact (indicative maximum 100 words)

Over the last five years, researchers within the Institute for Research into Organisations, Work and Employment (iROWE) have worked closely with policy-makers at the Advisory, Conciliation and Arbitration Service (Acas) to develop a programme of research that has provided new evidence in the areas of conflict management and downsizing. This has been central in re-shaping Acas's strategic priorities to include explicit reference to conflict management for the first time. It has also informed Acas's response to government over proposed employment reform and been used to develop new guidance in respect of redundancy handling, representation and workplace mediation. These impacts were sustained and maximised through the co-ordination of an ESRC funded seminar series, co-sponsored by Acas in 2012-13.

2. Underpinning research (indicative maximum 500 words)

The research programme has comprised of two main areas of enquiry. The first has examined the management of workplace conflict. The starting point was a DTI funded analysis of the Workplace Employment Relations Survey 2004 (Antcliff and Saundry, 2009). This was the first, and to date only, statistical analysis of the right to accompaniment in grievance and disciplinary hearings. It suggested that effective representational structures rather than accompaniment per se were important in shaping the outcomes of employment disputes. This was examined in more detail in 2008 through a qualitative exploration of accompaniment and representation, funded by Acas. This research found that while non-union companions played little role, union representatives were central to informal resolution processes. However, this was dependent on high-trust relations between key stakeholders (Saundry et al., 2011). Previously, the role played by HR practitioners had received little attention within the policy debate however this project suggested that a deficit in managerial skills, the development of increasingly remote HR functions and a litigious employment environment combines to encourage further formalisation of dispute handling (Jones and Saundry, 2011).

This research agenda was then developed through a series of four case studies, the findings of which have been published as separate research papers by Acas. A central focus of these projects was the potential of workplace mediation to provide an alternative to conventional disputes procedures. This research suggested that mediation is effective in facilitating sustainable resolutions to otherwise intractable disputes and delivering substantial cost savings. Furthermore, under certain conditions, it can provide a conduit through which trust can be developed between key organisational actors and informal processes of resolution can be reconstructed (Saundry et al., 2013). However, it also revealed substantial barriers – notably the resistance of line managers who see mediation as a threat to their authority and as an admittance of failure. The problems of embedding workplace mediation also reflect the failure of organisations to recognise the management of conflict as a strategic issue – as a consequence conflict management remains an under-resourced and ad hoc activity. Most recently, Acas commissioned further research into the experiences of mediation participants, an issue that has not previously been explored in the UK. The report from this research was published in June 2013.

.A crucial and unique strand of the Acas research programme was an investigation conducted by Ian Ashman into the role of 'envoys' in downsizing and redundancy processes. This research was conducted in two projects 2011. The first focussed on the experience of public sector managers which was of particular salience given wide-scale restructuring in response to cuts in public expenditure and the relative inexperience of personnel in redundancy situations. The second extended this work into the private sector. The results were published in two papers within the Acas Research paper series in 2012 and subsequently in a paper in Public Management Review (Ashman, 2013). This research provided insights into an area not previously examined by academic research within the UK and highlighted a clear need for improved training and support for managers faced with delivering the 'bad news' of redundancy.

3. References to the research (indicative maximum of six references)

Antcliff, V. and Saundry R (2009) 'Accompaniment, Workplace Representation and Disciplinary Outcomes in British Workplaces – Just a Formality?, British Journal of Industrial Relations, 47:1,

100-121.

Ashman, I. (2013) 'The face-to-face delivery of downsizing decisions in UK public sector organizations: the envoy role', Public Management Review, published first online in March, DOI: 10.1080/14719037.2013.785583.

Jones, C. and Saundry, R. (2011) 'The practice of discipline: evaluating the roles and relationship between managers and HR professionals', Human Resource Management Journal. 22:3, 252–266.

Saundry, R., McArdle, L. and Thomas, P. (2013) 'Reframing workplace relations? Conflict resolution and mediation in a Primary Care Trust', Work Employment and Society, 27:2, 213–231.

Saundry, R., Jones, C. and Antcliff, V. (2011) 'Discipline, representation and dispute resolution – exploring the role of companions in workplace discipline', Industrial Relations Journal, 42:2, 195-211.

Related Research Grants

2006   'Employee Representation in Grievance and Disciplinary Matters – Making a Difference?' - DTI WERS Small Grants Scheme (£9,865)

2008-13 Acas Research Partnership – Conflict Management (£34,158)
-'Accompaniment and Representation in Workplace Discipline and Grievance' (2008)
-'Transforming conflict management in the public sector' (2009)
-'The management of individual conflict in the private sector' (2011)
-'Mediation, conflict management and informal resolution – a case study' (2011)
-'The mediation process and its outcomes: Perceptions and experiences from the perspective of the disputant' (2012)

2011-2012 Acas Research Partnership – Downsizing Envoys (£14,000)
-'The nature of bad news infects the teller': The experiences of envoys in the face to face delivery of downsizing initiatives in the UK public sector (2011)
-'Downsizing envoys: a public/private sector comparison' (2012)

2012   ESRC Seminar Series - 'Reframing Resolution – Managing Conflict and Resolving Individual Employment Disputes in the Contemporary Workplace' – ESRC (£17,760)

2012   Knowledge Network For Business (KN4B) – ESRC (£99,000)

4. Details of the impact (indicative maximum 750 words)

The programme of research outlined above has been undertaken in an economic and political context in which issues of workplace conflict resolution and downsizing have been central to public policy concerns. This has included a range of consultations over the UKs system of dispute resolution and arrangements in relation to redundancy consultation within the broader scope of the government's 'Employment Law Review' and 'Red Tape Challenge'. A number of themes generated by the research resonate with public policy priorities, particularly the potential of mediation to facilitate dispute resolution and transform employment relations and also the capacity of managers to handle difficult issues such as downsizing and grievance and discipline. Furthermore by informing the work of Acas, which plays a pivotal role in shaping British employment relations, the research has had a significant impact on both practice and policy in three key respects:

Firstly, it has played an important role in shaping the future strategic direction of Acas. As illustrated by the attached letter from Susan Clews, Acas Director of Strategy, this has resulted in the new Acas strategic plan being reformulated to emphasise the importance of promoting conflict management alongside their longstanding mission to improve dispute resolution. This is clearly significant as conflict management now forms, for the first time, one of Acas's core objectives. In

the longer term, this will affect the way in which Acas delivers its services, advises key stakeholders (including government) and trains its staff.

Secondly, iROWE research has resulted in new and revised guidance published by Acas. Ashman's work on downsizing was integrated into a new guidance booklet on redundancy handling for managers (Acas, 2012). The work led by Saundry informed the development of new guidance provided on 'Representation at Work' (Acas, 2010:18) and was used to highlight the positive role played by representatives in disciplinary and grievance hearings. In addition, research into the role of unions in workplace mediation (Saundry et al., 2013) informed the development of 'Mediation – a guide for trade union representatives' which was launched at the 2010 TUC Congress at a seminar featuring one of the main participants within the research. Saundry's programme of research into workplace mediation was also widely cited in the reformulated guide to workplace mediation produced by Acas and the CIPD in February 2013.

Thirdly, the UCLAN research has informed the development of policy. The broad impact of the programme of research set out above was also demonstrated by its influence on an Acas Policy Discussion Paper which explored 'The Future of Workplace Relations' (Podro, 2011). This paper cited iROWE research to suggest that tensions between the approaches of line managers and HR practitioners could undermine informal dispute resolution (10) and also to highlight the role that mediation can play in underpinning improved workplace relations (15). Consequently, this informed the Acas response to the government's consultation on 'Resolving Workplace Disputes' (Acas, 2011). The research was cited by Acas to support four key questions posed by the consultation: the applicability of mediation to disciplinary issues; the cost of mediated settlements compared to conventional processes; the wider impact of mediation on conflict management; and the role of unions in embedding workplace mediation. In addition, the iROWE research programme was cited by the government in the response to consultations over the use of contributory no fault dismissal for micro businesses (BIS, 2012) as evidence that changes would increase uncertainty for SMEs (9) and could have the impact of undermining employee engagement (15). Most recently research into the participants' experience of mediation has been cited in advice provided to the Australian Fair Work Commission in relation to the implementation of mediation in bullying and harassment cases.

Ashman's work has also been important in informing the Acas response to changing government policy in relation to redundancy consultation. The Acas response to the government's call for evidence on this matter was contained in a letter dated 31st January 2012. This highlighted the early findings of Ashman's as yet unpublished envoys research which pointed to the impact of redeployment in the public sector on the length of consultations and suggesting that any consideration of the time needed for consultations depended on the expected outcomes. On 6 April 2013, new government legislation came into effect relating to redundancy consultation. Acas were asked by the government to accompany these changes with new guidance for managers and organisations 'to help employers understand their legal obligations and sets out the principles and behaviours behind a good quality consultation to help employers manage collective redundancies more effectively' (Acas, 2013). Within this guidance, on p.37 of the booklet (Acas, 2013)., advice as to how managers should deal with conveying the news of redundancy is drawn directly from Ashman's research.

Finally, the work led by Ashman and Saundry has raised awareness and informed practice. The revised guidance on redundancy handling (Acas, 2012), featuring Ashman's work was downloaded from the Acas website 37,000 times in the 12 months following its publication in July 2012. Ashman also worked with Acas to produce a video discussing his research which was embedded in a page on the Acas website which has been visited 246,000 times between August 2012 and July 2013. Furthermore, findings from Ashman's work have been integrated into training programmes for managers on redundancy handling and has attracted coverage in 46 media outlets including the Sunday Times, London Evening Standard and People Management magazine.

Saundry's research into conflict management has been presented at a number of practitioner forums across the UK including seminars organised by: Acas in the North West and East of

England Regions; CIPD in Cumbria; EEF in the North West; and the TUC in Yorkshire and Humberside. Saundry also conducted a number of conflict resolution 'master-classes' delivered to networks of SMEs across Lancashire as part of an ESRC funded programme of knowledge exchange ('Knowledge Network for Business'). Saundry was also a keynote speaker at a seminar 'Effective Conflict Management – What Works' hosted by Acas and held at the British Library on 8th March 2011, at which leading practitioners, policy-makers and academics were present. These issues have been further explored within an ESRC funded Seminar Series (led by Richard Saundry) entitled 'Reframing Resolution - Managing Conflict and Resolving Individual Employment Disputes in the Contemporary Workplace'. The series comprised of six seminars held at the Universities of Central Lancashire, Warwick, Strathclyde, Queen's Belfast, Swansea and Westminster. They involved leading academics from the UK, USA and Australia and sought to develop a new agenda for research and policy development. The series was co-sponsored by Acas involving approximately 350 participants from a wide range of practitioner and policy-making organisations such as Acas, CBI, CIPD, EEF, FSB, IPA and the TUC. This has not only helped to develop awareness of research into conflict management but develop new approaches to policy and research will be synthesised in a major policy paper to be published by Acas in 2014.

5. Sources to corroborate the impact (indicative maximum of 10 references)

Acas (2010) Representation at Work, London: Acas
http://www.acas.org.uk/index.aspx?articleid=760

Acas (2011) Resolving Workplace Disputes – A Consultation – Response -
http://www.acas.org.uk/media/pdf/2/t/Resolving_workplace_disputes_-_a_consultation_response_-_accessible_version.pdf.

Acas(2012) Redundancy Handling http://www.acas.org.uk/media/pdf/1/1/Redundancy-handling-accessible-version.pdf

Acas (2013) How to manage Collective Redundancies
http://www.acas.org.uk/media/pdf/o/i/How-to-manage-collective-redundancies.pdf

Podro, S. (2011) 'The Future of Workplace Relations', Acas Policy Discussion Papers -
http://www.acas.org.uk/CHttpHandler.ashx?id=2978&p=0

BIS (Department of Business, Innovation and Skills) (2012) Dealing with Dismissal and 'Compensated No Fault Dismissal' for Micro Businesses: Response to the Consultation, September 2012 - http://www.bis.gov.uk/assets/BISCore/employment-matters/docs/D/12-1143-dismissal-for-micro-businesses-response.pdf

Press coverage of Ashman's research in relation to downsizing 'envoys':
http://www.thesundaytimes.co.uk/sto/public/Appointments/article1115782.ece
http://www.peoplemanagement.co.uk/pm/articles/2012/07/a-new-role-emerges-in-downsizing-special-envoys.htm

Acas website highlighting Ashman's research in relation to downsizing 'envoys'
http://www.acas.org.uk/index.aspx?articleid=747

Acas/CIPD (2013) *Mediation: An Approach to Resolving Workplace Issues – A Guide*
http://www.acas.org.uk/media/pdf/2/q/Mediation-an-approach-to-resolving-workplace-issues.pdf

Acas Response To Call for Evidence on Collective Redundancies – Letter from Ed Sweeney to Richard Lowe, 31/01/12.
http://www.acas.org.uk/media/pdf/d/i/Acas_response_to_collective_redundancy_consultation.pdf

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