5HR01 Employment relationship management
Learner Coversheet
Assessment ID / CIPD_5HR01_24_01
Level 5 Associate Diploma in People Management

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5HR01
Employment relationship management

This unit examines the key approaches, practices and tools to manage and enhance the employee relationship to create better working lives and the significant impact this can have on organisational performance.

CIPD's insight

The Professional Map – Employee Relations

Employee relations is about creating and maintaining a positive working relationship between an organisation and its people.

An important part of that relationship is the culture, and the extent to which the organisation seeks to be resolution-focused. People professionals have an important role in setting that culture through the development of policies and processes which apply the law in a practical, fair and transparent way. So, specialists in this area need a deep understanding of employment / labour law, keeping up to date with legislative developments in order to advise the business and line managers to create the best outcome for individuals and the organisation.

https://peopleprofession.cipd.org/profession-map/specialist-knowledge/employee-relations

Employee voice

Wellbeing, commitment and innovation are negatively impacted when employees feel they are without 'voice' in their organisation. We believe all employers should have policies and practices in place which enable employees to express themselves on matters that are important to them in their work.

Employee voice means individuals being able to safely put forward their viewpoints on their work, at work, irrespective of where, when and how they do their work. When employee voice channels work effectively, employees can feel valued, trusted and influential. In turn, this can increase their job satisfaction and

performance.

For employers, effective employee voice can mean better relationships with their employees and, ultimately, improved organisational performance. Line managers, people professionals and voice champions have a responsibility to actively bring out, listen to and respond to employees' voices. They can encourage employees to express themselves in individual and collective channels, both directly, for example to their team leader, and indirectly, for example through an employee representative.

Employee voice channels include individual self-representation, for example one-to-one meetings with a line manager and employee surveys, as well as collective representation such as trade unions and an employee representative on the company board. Employee voice platforms increasingly include digital technologies, for instance for group meetings, and protected social networking apps for more informal communication.

https://www.cipd.co.uk/news-views/viewpoint/employee-voice

Engagement

Employees who have good quality jobs and are managed well, will not only be happier, healthier and more fulfilled, but are also more likely to drive productivity, better products or services, and innovation. This mutual gains view of motivation and people management lies at the heart of employee engagement, a concept that's become increasingly mainstream in management thinking over the last decade. As part of our work in this area, we sponsor Engage for Success, the voluntary UK movement promoting employee engagement.

Employment law regulates the relationship between employers and employees. It governs what employers can expect from employees, what employers can ask employees to do, and employees' rights at work.

Please note that the purpose of this insight is to link you to CIPD's research and evidence within the subject area, so that you can engage with the latest thinking. It is not provided to replace the study required as part of the learning or as formative assessment material.

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Preparation for the Tasks:

Watch the supporting video for this unit: https://youtu.be/_cT5onbzIa8.

At the start of your assessment, you are encouraged to plan your work with your assessor and where appropriate agree milestones so that they can help you monitor your progress.

Refer to the indicative content in the unit to guide and support your evidence.

Pay attention to how your evidence is presented.

Ensure that the evidence generated for this assessment remains your own work.

You will also benefit from:

Completing and acting on formative feedback from your assessor.

Reflecting on your own experiences of learning opportunities and continuous professional development.

Reading the CIPD Insight, Fact Sheets and related online material on these topics as well as key research authors on the subject.



Scenario

The public sector organisation that you work for has recently undergone a merger with another similar public sector organisation that has had significant staff changes across key departments.

The incoming leadership, management and people practice teams are relatively new to their posts and have limited awareness of managing employee relations in the public sector as many of them have been recruited from the private sector.

There are concerns that this could affect commitment to existing employee relations practices. With this in mind, your people practice director has asked you to write a briefing paper. You need to provide the teams with knowledge and understanding about:

the various forms of representation that can be employed at work and how these are used to support workplace harmony, and

the different forms of conflict and dispute resolution and how to manage performance, disciplinary and grievance matters lawfully.

To complete the briefing paper, you should include written responses to each of the 10 points below, making appropriate use of academic literature, case and statutory law, codes of practice, research and good practical examples to substantiate your response and illustrate key points. Please ensure that you use reputable sources as indicated on the unit reading list and that all cited sources are correctly acknowledged and presented in full in a bibliography at the end of your briefing paper.

Briefing paper

Referring to the above scenario:

Differentiate between employee involvement and employee participation **and** how they build relationships. (AC 1.1)

Compare forms of union **and** non-union employee representation. (AC 1.2)

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Evaluate the relationship between employee voice **and** organisational performance.

(AC 1.3)

Explain the concept of better working lives **and** how this can be designed. (AC 1.4)

Distinguish between organisational conflict and misbehaviour. (AC 2.1)

Assess emerging trends in the types of conflict and industrial sanctions. (AC 2.2)

Distinguish between third-party conciliation, mediation and arbitration. (AC 2.3)

Explain the principles of legislation relating to unfair dismissal in respect of capability and misconduct issues. (AC 3.1)

Analyse **three** key causes of employee grievances. (AC 3.2)

Advise on the importance of handling grievances effectively. (AC 3.3).

Assessment Criteria Evidence Checklist

You may find the following checklist helpful to make sure that you have included the required evidence to meet the task. This is not a mandatory requirement as long as it is clear in your submission where the assessment criteria have been met.

Briefing paper - section one **Assessment criteria**		**Evidenced** **Y/N**	**Evidence reference**
1.1	Differentiate between employee involvement and employee participation and how they build relationships.	Y	
1.2	Compare forms of union and non-union employee representation.	Y	
1.3	Evaluate the relationship between employee voice and organisational performance.	Y	
1.4	Explain the concept of better working lives and how this can be designed.	Y	
2.1	Distinguish between organisational conflict and misbehaviour.	Y	
2.2	Assess emerging trends in the types of conflict and industrial sanctions.	Y	
2.3	Distinguish between third-party conciliation, mediation and arbitration.	Y	
3.1	Explain the principles of legislation relating to unfair dismissal in respect of capability and misconduct issues.	Y	

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Briefing paper - section one Assessment criteria		Evidenced Y/N	Evidence reference
3.2	Analyse key causes of employee grievances.	Y	
3.3	Advise on the importance of handling grievances effectively.	Y	

Declaration of Authentication

Declaration by learner

I can confirm that: this assessment is all my own work. where I have used materials from other sources, they have been properly acknowledged and referenced. I have not used Artificial Intelligence tools to generate content for my assessment. I understand the consequences of malpractice and accept that any violation of this agreement may result in disciplinary action.	
Learner name: Ashashree Deepak	
Learner signature:	
Date* 02-07-2025 ***This should be the date on which you submit your assessment**	

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AC 1.1

Employee Involvement (EI) refers to employer responsibility to provide the employees with the opportunity to get involved in organisational activities. It can also be defined as the direct interaction between the employees and the management which encourages the employees to take ownership of organisational projects (Quain, 2018). Employee involvement refers to the degree to which workers can contribute to solving organisational issues (CIPD, 2022). Examples of employee involvement activities include establishing organisational structures that outgrowths free thinking, providing employees with opportunities for new training, application of certain motivational methods to boost employee productivity as well as empowering employee to make significant work decisions without seeking approval from the management.

Employee Participation (EP) on the other hand refers to the process of providing employees with the opportunity to participate in business decision-making as a way of empowering them while at the workplace. It also refers to the business activities that employees take part in to achieve a common organisational goal (Quain, 2018). By including employees in decisions that affect their work, organizations build a sense of ownership and accountability. This mutual engagement creates a partnership culture, which contributes to positive employment relations (Marchington & Wilkinson, 2020). Employee participation requires that all employees irrespective of title to contribute to an identified project.

Differences between Employee Participation and Employee Involvement.

Employee Participation	Employee Involvement
Employees take part in actual business activities	Employees add their input in the decision-making process

Employee Participation	Employee Involvement
Fosters team approach as employees utilises their diverse skills to attain a common goal	Fosters effective communication between the management and the employees as it facilitates direct connection and communication between the two
Employee ideas and attitudes are expected and appreciated by the management in the making of critical decisions.	It is a one-to-one approach between the employee and the management as tasks are assigned by the supervisors

Essentially, organisations should embrace both employee participation and employee involvement in order to enhance employee motivation and job satisfaction which results in enhanced organisational performance. The two should constantly be monitored in a bid to determine between participation and involvement which one brings optimal results to the company (Quain, 2018).

AC 1.2

Union representation refers to formal structures whereby employees are represented by recognised trade unions. These unions are being formed as separate organisations that have legal powers to represent those that are taking part in collective bargaining, grievances and consultations with the employers. They usually make deals regarding the pay, working conditions, and job requirements (CIPD, 2023). Trade unions are organised by different means including what are termed as shop stewards, works councils, and workplace agreements, initially, the organisational scale of trade union could be at an enterprise scale or national scale whereby the country characters the framework of industrial relations (Brewster et al., 2020). Non-union representation entails mechanisms that are put in place by independent of trade organisations that may not be unionised. These can be in the form of employee forums and joint consultation committees and staff associations. These organizations are typically established and sponsored by employers and provide a consultative instead of a collective bargaining authority (Marchington and Wilkinson, 2020). Though non-union bodies can offer employees the platform in which they can express their grievances, they usually do not enjoy the legal status and bargaining power of trade unions. Nevertheless, they are perceived as many times more cooperative and not as conflictual as their counterparts in unions (Timming, 2012).

Academic literature supports that union representation typically results in more structured and formalised employee voice, often backed by legal and political power (Hyman, 2001). Conversely, non-union representation has been praised to be flexible and in line with organisational culture but it is questionable about its effectiveness. Dundon et al. (2004) also found that either type of the union or non-union representation may be coherent in percentage. hybrid models, particularly in large or multinational organisations. Such systems can include formal unionised collective bargaining with non-union consultative forums to expand participation and to increase involvement of employees.

AC 1.3

As per (Kim, MacDuffie and Pil, 2010) employee voice in an organisation can occur directly between the employees and the management or indirectly through worker representatives and the management Empirical literature on the relationship between type of employee voice and organisational performance denotes mixed results. In reference to direct employee voice extensive survey research has found a positive and often statistically insignificant impact to organisational performance but never a negative effect. In addition, research studies indicate that direct employee voice is more in heightening employee satisfaction and performance when employees have influence on decision-making, focused on work related issues and when participation programs are direct. Consequently, indirect employee voice link to performance is different for different countries. For example, in US, research indicates that unionisation effect on productivity was small but mostly positive while in Britain unionisation resulted in diminished productivity in the 1980s (Kim et al., 2010)

(CIPD,2021) asserts that research has demonstrated that effective employee voice approaches result in positive outcomes for employees at an individual level and organisations. Employers can maximise on

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employee voice to raise innovation and productivity as well as reduce absenteeism and workplace conflict.

(Trickel,2021) outline some of the arguments that are utilised in questioning whether employee voice impacts on organisational performance. For example, there are concerns that employee voice blurs the line between management and employee hierarchy. This results in creation of barriers in reporting line that hinder open communication and negatively impacts on organisational performance. Additionally, employee voice can be meaningless if there is no action taken on feedback provided.

AC 1.4

The CIPD believes that good work is fundamental to individual wellbeing, supports a strong, fair society, and creates motivated workers, productive organisations and a strong economy. CIPD, 2023 Good work index defines ‘good work’ as work that,

is fairly rewarded

gives people the means to securely make a living

provides opportunities to develop skills and a career and gives a sense of fulfilment

delivers a supportive environment with constructive relationships

allows for work–life balance

is physically and mentally healthy for people

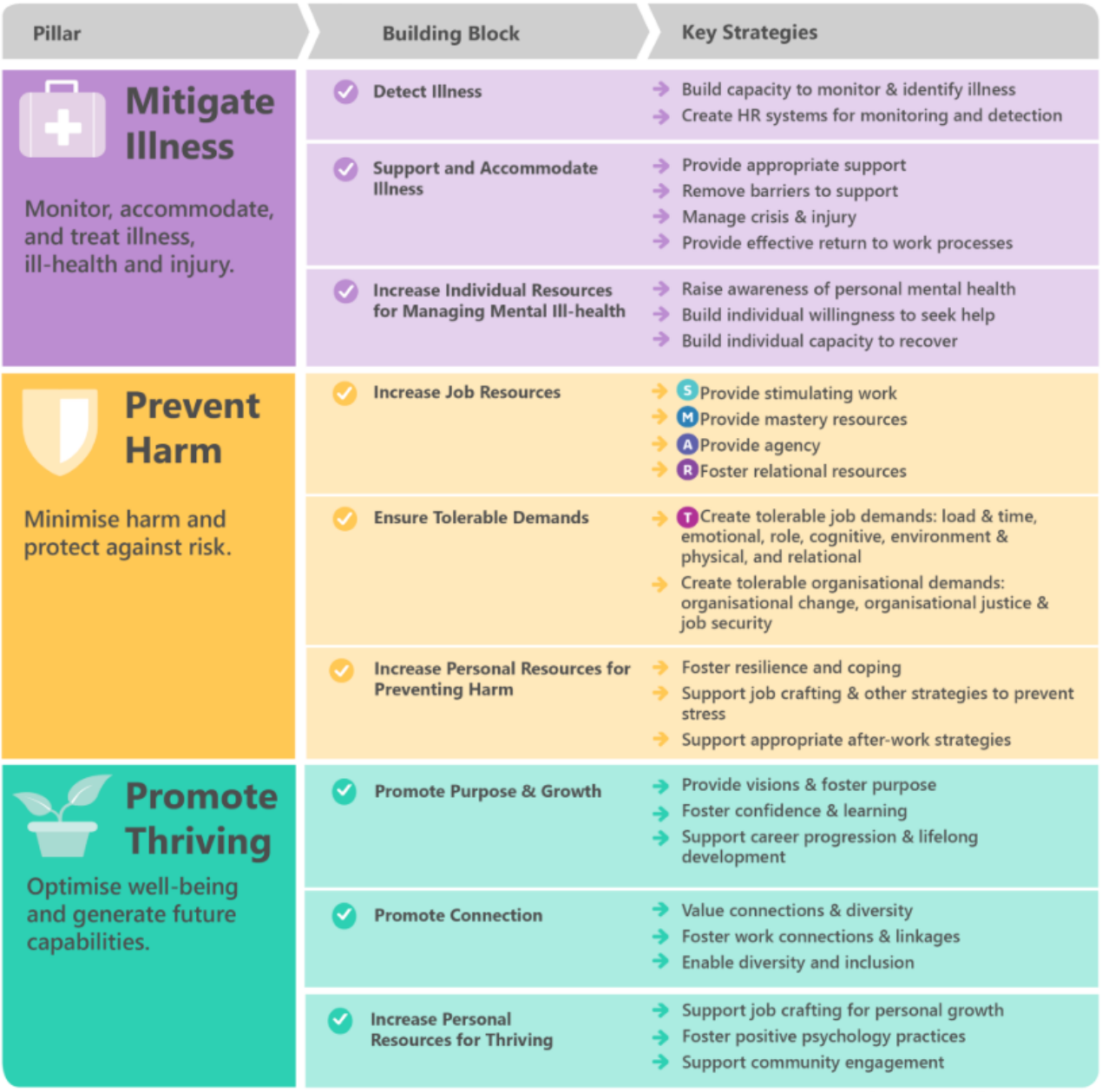
gives people the voice and choice they need to shape their working lives

is accessible to all.

Similarly, (Kotresh ,2020) defines quality work life as a generic phrase that covers individual feelings on dimensions of work including economic rewards and benefits, working conditions, security, interpersonal and organisational relationships and its intrinsic meaning in an individual’s life.

There are several designs and models that have been proposed for organisations in the quest for designing better working lives for the employees who are he drivers of organisational success. For example, (Parker & Jorritsma,2020) recommended the SMART model that recommends designing meaningful work and motivating work by focusing on five key elements that are Stimulating, Mastery, Agency, Relational and Tolerable demands hence the acronym SMART. There also integrative models and frameworks that are premised on designing good work conditions from different entry point such as “Thrive at Work” framework (Park & Jorritsma, 2020). The thrive at work framework is a holistic approach that focuses on employee getting well gain (Mitigating illness), helping employees stay well (Prevent Harm) and achieve their best potential (Promote Thriving. The model is expounded on fig 1

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AC 2.1

Conflict is an inevitable part of human interaction. At a time when it's crucial we come together and strengthen our relationships, albeit virtually, inconsequential disagreements or a mishandled conversation can bubble up into unpleasant or even toxic situations. (CIPD,2020). According to (Shila, 2019) organisational conflict can be defined as situations that break down decision making due to incompatible or irrational stands taken by individuals that are part of the decision-making system. Conflict in this regard is understood as the objective incompatibility between goals and values. Organised conflict at the workplace can be manifested in form of strikes, go-slow protests and deliberate negative disruptions.

Organisational misbehaviour on the other hand is an act of defiance to organisational principles. (Yew & Gregory,2011) defined organisational misbehaviour as actions that are unacceptable to organisational management as they are disruptive to the functioning of a company. Organisational misbehaviour is usually voluntary and intentional designed to cause harm to a person, organisation or work group. Misbehaviour can be manifested in form of absenteeism, sabotage, fraud and walking out.

Key Differences as below:

Organisational Conflict	Misbehaviour
Organised and collective	Individual or informal
Recognised in industrial relations	Considered misconduct
To negotiate or protest workplace issues	Often to express dissatisfaction or resist control
Strikes, go-slow, overtime bans	Sabotage, absenteeism, theft

Organisational conflict may be managed through collective bargaining and dispute resolution, whereas misbehaviour often requires disciplinary measures or employee support interventions to address root causes such as low morale, lack of engagement, or poor leadership.

AC 2.2

There have been significant changes in the nature of conflict and industrial actions in the 21st century. Conflicts and industrial action tend to be relatively shorter when compared to the 19th century when it took much more time to resolve. Conflict at the workplace is still prevalent but employees tend to be protesting in other ways such as sabotage or mischief, absenteeism and minor acts of defiance (Hughes &Dundon, 2018).

Two Emerging Trends in Conflicts and Industrial Sanctions are as below.

Shift from Long Strikes to Shorter. A prominent trend in modern industrial relations is the transition from prolonged strikes to short, high impact, strategically timed industrial actions. Such strikes are meant to create the greatest disruptions at minimum time out of work. Such areas of the economy as healthcare, education, and transportation are moving in the right direction. The UK Office for National Statistics (2023) stated that an increasing number of working days were lost to labour disputes, but comparatively longer arrests were less frequent.

In the time period between June of 2022 through December 2023, more than 5 million working days have been lost, the highest in more than 30 years (ONS, 2023). This will be implemented in the situation whereby organizations will be prone to this type of strike at height of the business season like holidays or during product launches. To implement these employers can be ready and adopt the following contingency staffing plans, early warning systems and the employee engagement programs. Such a strike preconditions quick HR and legal reaction to reduce the risks in the functioning.

Enhanced Employing Legal coercion (Injunctions) and Personalization of Contention

Another key development is the rising use of legal tools by employers, particularly injunctions, to limit or delay industrial action. Meanwhile, workplace conflicts are becoming more individually personal, with less collective bargaining, more personalized grievances and disciplinary measures.

In the UK, courts have frequently granted interlocutory injunctions to employers seeking to prevent strikes, particularly where procedural errors in ballots or notice periods are claimed (Lewis Silkin, 2023). This is applied when industrial action is threatened or launched without proper legal protocols or affects essential services. To implement this can be done by the HR and legal departments working together to determine if compliance with strike procedures has been observed and where applicable injunctions can be enforced. Organizations can also enforce internal disciplinary policies aligned with national labour legislation, eg, UK trade union and labour relations act 1992.

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AC 2.3

Disputes between an employee and an employer can be resolved with the help of a third party also referred to as Alternative Dispute Resolution (ADR). (Murray,2021) defines alternative dispute resolution as the different processes that are available to individuals and organisations in settling of a dispute devoid of litigation or going to the courts. According to Gov.uk (2012) there are three main ways of an employee and employer to resolve a dispute including mediation, conciliation and arbitration.

Conciliation is common in employment disputes and refers to a compulsory process that is undertaken prior to an employee bringing claim to the Employment Tribunal. Conciliation is voluntary and thus both the employer and employee must consent too it and within the UK context Acas can offer a free service in the setting of a potential claim. In addition, Acas provides a guideline on conciliation procedures (Gov.uk, 2012). A conciliator attempts to help the parties reach agreement through provision of an opinion upon evaluating the matter at hand. Some of the pros of the conciliation method is that it is private, cost effective and involves a conciliator who is an expert. Nonetheless it is not legally binding.

Mediation occurs when an independent and impartial third party is involved in resolving a dispute between the employer and the employee. It is often utilised when informal discussion fails to bear fruits. Mediation is voluntary and as such neither of the parties can participate under duress. The mediator attempts to help the parties reach an agreement but does not offer personal assessment or opinions on the matter which contrasts with conciliation. Like conciliation it not legally binding. Some of the benefits tied to mediation is less expensive, allows privacy, parties jointly choose mediator, neutral third party has the potential to reach a fair agreement and demonstrates willingness to negotiate (Murray, 2021).

Arbitration is legally binding and involves a third party making a firm decision on cased upon evaluation of both sides of the parties involved. The employer and the employee have to agree that the decision of the arbitrator will be legally binding but still has a chance to take the case to an employment tribunal. The arbitrator has to be an expert in the field and does not necessarily have to be one person it can be a panel of arbitrators presided by a chairman. The pros of arbitration include it is legally binding, faster and cheaper than litigation, confidential and both parties joint choose and arbitrator.

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AC 3.1

Unfair dismissal occurs when an employee is dismissed from their job without a fair reason, or when the employer fails to follow a fair procedure. According to (CIPD,2021) the central basis of unfair dismissal is that employees must be treated fairly as they have a statutory right of not being unfairly dismissed. (Collins Ewing & McColgan,2012) expound that the law of unfair dismissal demonstrates the power of the law when it comes to misuse of managerial contractual and discretionary powers in the disciplining of employees.

The key legislation governing unfair dismissal includes:

Employment Rights Act 1996

Employment Act 2008

Equality Act 2010 (in cases where dismissal may relate to discrimination)

The ACAS Code of Practice on Disciplinary and Grievance Procedures provides best practice guidance for handling disciplinary situations fairly. While failure to follow the ACAS Code does not automatically make a dismissal unfair, employment tribunals take it into account and may increase compensation by up to 25% if an employer unreasonably fails to follow it (ACAS, 2024).

Capability dismissal refers to termination of an employment contract on the basis of poor performance or inability to meet the expected standards (Morris, 2019). However, capability dismissal is only protected by law if a fair process is followed and takes into consideration the minimum standards set by ACAS.

According to DP employment law (2021) misconduct is one of the recognised reasons that employers can base a termination of an employment contract. Examples of gross misconduct include and are not limited to the following alcohol abuse at work, physical assault, theft, gross negligence and serious breach of HSE standards. However, employers are required to follow a fair and reasonable investigation into the misconduct otherwise it warrants to be classified as unfair dismissal (DP Employment law, 2021).

Gross misconduct is a serious violation of conduct (stealing, violence) which may be sufficient to warrant summary termination without prior warning. Nevertheless, a fair procedure has to be applied even in the cases of gross misconduct (ACAS, 2024).

An employer should ensure that it is just and wills fair to dismiss based on the capability or misconduct. These consist of, carrying out of investigations, official disciplinary hearings, written warnings (of minor cases of misbehaviour or disability) and the right to an accompany person during disciplinary hearing (another employee or trade union official), maintaining an excellent logistics of conferences and determinations.

The fair dismissal law secures the employee against dismissal without either justice or due process. In the matters of capability and misconduct, the employers should comply with appropriate procedures which are just, clear, and consistent under the guidance of the law and the ACAS Code. The essentials in mitigating the legal risk and upholding are proper documentation, communication, and respect towards employee rights.

AC 3.2

An employee grievance is an issue, problem or a complaint made by an employee regarding his/her job, the workplace where one works, the conditions that they are employed to work, or the way they relate to their colleagues and supervisors. The grievance may be personal, where a single employee believes that he/she has been wronged or grievance may be collective, whereby a wind section of employees shares the same concern. The reason they are significant is that unaddressed complaints may damage morale, reduce productivity, deteriorate the relationship between employees and employers, and increase the frequency of people leaving their jobs (CIPD, 2023).

Key causes of dissatisfaction among employees.

1. Injustice and discrimination.

This perceived inequality, like favouritism, nepotism, or unfairness in promotions, training, and resource allocation is one of the primary causes that people complain about. Employees are prone to feel offended when they believe that the choices being made are motivated by personal interests rather than grades or by well-developed guidelines. As an illustration, when few individuals are given career development opportunities, others might feel sidelined, thus become enraged and not keen on their jobs. This not alone will leave people unhappy, but it may also breed a culture of mistrust which causes group complaints and disintegrates the organization.

2. Excessive work and unfavourable conditions of work.

Complaints are usually about work overload as well as poor working conditions when employees must do more work with little assistance, appreciation, and compensation. This may become compounded when the companies lack sufficient resources and planning of their workforce. Excessive work may cause stress, burnout, and reduced job satisfaction over time. Bad working conditions or unsafe working conditions may also be bad physically and mentally. Where such problems remain unaddressed, employees can raise them in unison, commonly via unions, to secure improved working environments and improved methods of managing their tasks (Soumita, 2019).

3. Poor management and unfavourable regulations.

A major cause of complaints is how the managers implement policies and communicate with their workers. Unfairness comes when rules are not observed, there is lack of communication or conflict is not solved and

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people feel that they are unfairly treated. An example is when one group of workers is penalized on violating the rules and another group is not, this indicates that the rules are not equitable and no one would be willing to depend on their leaders. The ambiguity of rules or old rules may also lead to the disagreement in the interpretation of what rights and responsibilities of employees are and this may cause the group differences. Employee complaints are a direct and indirect cause of poor management as it influences the organization culture and the degree of fairness perceived by the employees.

It can be concluded that some of the complaints made by employees include unfair treatment, excess work, unfavourable working conditions, as well as bad and unfair management. These issues are associated with the organizational culture and policies once fairness, openness, and employee well-being are not considered, as well as complaints increase. Through the causes, organizations can initiate measures to foster fairness, advance management practices, and make the workplace friendlier and so reduce the possibility of complaint and enhance employee relations.

AC 3.3

Complaints are inherent in any workplace and the way they are managed will determine whether they will translate into fights or opportunities to bring good change. It is not only necessary to handle complaints properly to ensure the rights of workers, but also the reputation of the company, its efficiency, and its adherence to the employment law.

When employees learn that their grievances will be addressed and in a fair manner, trust between them and the management is created. Thinking that they are unfairly treated, when conflicts are not resolved, and that they do not get their expectations, they may decrease morale, increase the number of absent days, and raise the level of turnover rates (Robbins and Judge, 2019). When their complaints are not addressed or addressed in a manner that does not acknowledge them, employees may develop a sense of disconnection, seeking other employment.

To prevent this, organizations must ensure that they establish a formal grievance mechanism through which employees have clear means and means of expressing their grievances without the fear of being punished. Training managers on the management of conflicts and interpretation of emotions can be used to make them empathic, and this can reduce the likelihood of making the situation worse. This gives the employees a sense of being appreciated and esteemed and hence they become more loyal and reduces the expenses of acquiring and training new individuals who move without notice.

Unless grievances are addressed in a right manner, they may bring legal issues particularly those that involve discrimination, harassment as well as breached employment law. Failure to resolve such types of complaints in an appropriate manner may cause costly litigations and reputation destruction of the company, which might not only negatively affect the brand but also the loyalty of its customers (Dessler, 2020).

It can be concluded that effective management of complaints ensures that labour laws are observed, that there is a sense of fairness and demonstrates that you are concerned with the health and safety of your employees. Mediation or assistance of a third party can be used to resolve conflicts in a fair manner when the problems are difficult to resolve. Businesses reduce risks of being sued by acting swiftly and openly on complaints, and demonstrate that they are accountable and responsible.

Effective handling of complaints is essential in employee retention, reducing employee turnover, preventing law suits, and safeguarding the reputation of the company. An effective grievance process, which is well-structured, lawful and has proper policies and merciful leadership not only eliminates problems immediately, but also makes organizational culture sturdier. With firms fostering equality and transparent communication, they can establish a peaceful working environment where workforce is appreciated. This will increase morale, productivity, and success in the long run.

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