
Dramatic training

How law firms and in-house legal teams use drama to enliven the employment law training they provide relating to workplace disputes, arbitration, litigation and mediation

BY RICHARD WILKES

Responsible employers always aim to resolve workplace disputes fairly and amicably to avoid tribunal cases and their damaging consequences if at all possible. Law firms, or in-house legal teams, often help instigate procedures and practices to avoid employment relations difficulties.

However, sometimes people just cannot find common ground, and even the best run organisations may become involved in a tribunal case. If this happens, everyone involved needs to be properly prepared.

The traditional response from organisations is either to sweep the issue under the carpet and hope it never arises, or provide blanket employment law training as a pre-emptive measure for all staff. The latter option is universally seen as costly, intrusive into the working day and dull. Now, it seems, there is a more creative alternative.

Law firms are teaming up with drama-based training providers to enliven employment law-related training and explain the implications of legislation.

CHANGES IN DRAMA PROVISION

Professional actors have long been used in learning and development, but their usage has changed remarkably. Actors were originally used almost exclusively in assessment centres or as one-to-one role players to enhance development. When pioneering trainers introduced role plays into training courses to recreate situations and behaviours found in the workplace, they found that many people found it embarrassing to be “put on the spot” in front of colleagues, reducing the effectiveness of the course. Hence, professional actors were brought in to run the role plays.

Firms of actors / facilitators then began to develop extraordinarily realistic interactive theatre initiatives for large groups on subjects such as diversity, performance management and leadership. Freed from the need to role play themselves, the delegates were able to concentrate on the training issues, and they learnt by analysing and summarising what they saw. Some drama firms have since further extended this concept and created entire business simulations to help client organisations meet learning challenges.

THE BENEFITS

When combined with legal guidance, facilitated drama-based training provides an engaging and effective approach that

helps the participants to gain knowledge of their legal obligations and of best practice. The advantage of using drama is that it can quickly bring issues to life and highlight specific behaviour, in a way that resonates with all members of staff.

Drama-based employment law training is often used to show those with managerial responsibility how they can manage within the law and minimise the risk of claims from workplace disputes. It is also used for issues such as handling grievance and disciplinary interviews, tackling bullying, harassment and discrimination in the workplace, promoting diversity and equality and preparing managers for an employment tribunal, should the worst happen.

Experiential training of this kind has proved to be particularly effective in bringing to life the people aspects of disputes. It helps delegates to see a situation from both sides. In some disputes, it is necessary to establish who is right and who is wrong, for example, in matters of employee rights, company policy, health and safety and other legal issues. However, in other cases of conflict, taking a right or wrong approach ignores the relationship aspects and reduces the possibility of a win / win result. Drama is flexible enough to highlight either instance.

Providing employment law-related training is important for line managers, as they are at the sharp end. If and when situations arise, they need to deal with them efficiently and effectively while complying with legislation. If they are to follow the right procedures and work with people in a fair and reasonable manner, it is important that organisations ensure that they feel equipped and ready to handle these situations.

However, providing training in this area is also beneficial to the organisation, not only from an ethical position but also from a business standpoint because it can help the organisation to differentiate itself and create a competitive edge. Today's organisations want to be seen as good corporate citizens, with global awareness and high diversity and ethical standards. By providing this training, they can position themselves as one step further down the road to being an employer of choice.

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