

Dignity at Work Policy and Procedure

(Preventing bullying, harassment, discrimination or victimisation)

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Who can help?

- ☑ Human Resources (HR) can provide support and advice with the application of this policy and answer any questions that you may have. Call the team on x3344 or email HumanResources@napier.ac.uk
- ☑ If you are a member of the Educational Institute for Scotland (EIS) or UNISON, you can receive support and advice from a trade union representative.

Other Support

- ☑ [Occupational Health Services](#)
- ☑ [Employee Assistance Programme](#)
- ☑ [Staff Inclusion Networks](#)
- ☑ [Values & behaviours](#)
- ☑ [ACAS Bullying and Harassment at work - A Guide for Employees](#)
- ☑ [ACAS Bullying and Harassment - A Guide for Managers and Employers](#)
- ☑ [Equality & Human Rights Commission](#) – challenges discrimination
- ☑ [Equality Challenge Unit](#) – promotes diversity and equal opportunity in HE
- ☑ [The Cybersmile Foundation](#) – support for cyberbullying

Please Note

- ☑ This policy does not form part of your contract of employment with the University and may be subject to change.

1. Context

The University is committed to ensuring a positive, supportive and inclusive working environment free from harassment, discrimination, bullying and victimisation. We expect all members of staff to treat each other with dignity and respect at all times.

We wish to promote equality of opportunity in all that we do and will not tolerate bullying, harassment and discrimination of any kind. We will also not tolerate victimisation of a person for reporting such behaviour in good faith or supporting someone to make such a complaint. Unacceptable behaviour in the workplace can have a significant negative impact on a person, group of people and the working environment of the University as a whole.

We recognise that there may be occasions where employees may have concerns about behaviour of someone or others towards them and that it can be difficult to raise a complaint of harassment, discrimination, bullying or victimisation. We encourage employees to access the appropriate sources of support available and seek to promote an environment where people who have been the subject of inappropriate behaviour feel able to raise their concerns without fear of victimisation.

Where attempts to resolve the matter informally have been unsuccessful, or where the behaviour is of such a serious nature that informal measures would be inappropriate, formal action can be taken. We are committed to ensuring that all formal complaints are investigated and dealt with fairly and appropriately.

2. Scope

This policy applies to everyone at the University. This includes all employees, including casual, agency and associate workers. It also includes all visitors to the University and other third parties who are visiting or working on behalf of the University. It is not limited to ordinary working hours or University campuses and extends to all functions and places that are work related.

If an incident or suspected incident of unacceptable behaviour relates to a student at the University the matter will be investigated in accordance with the Student Conduct Regulations.

3. Key Principles

The aim of this policy is to eliminate all forms of unacceptable behaviour. It sets out the procedures for employees to raise a complaint and outlines the responsibilities of staff members to respond to, and manage, complaints in a fair and consistent manner.

- ✔ Where appropriate, concerns should be settled informally without recourse to a formal process.

- ✔ Formal complaints made under this policy will be investigated under the Grievance Procedure.
- ✔ Allegations will be treated seriously, investigated promptly and thoroughly considered in confidence.
- ✔ All parties involved will be treated fairly, sensitively and supported during the process.
- ✔ Any employee whose behaviour is unacceptable will be investigated and may be the subject of formal disciplinary action.
- ✔ If a complaint is found to be vexatious or malicious or false information has been provided, this may give rise to action under the Disciplinary Procedure.

Confidentiality

Confidentiality is necessary to create an environment which encourages employees to speak up if they are concerned about the behaviour of another person(s) so that they can seek advice and explore the seriousness of the situation. This allows them to assess their position and the options open to them.

We wish to protect all parties affected and there should be an attempt, as far as possible, to maintain confidentiality whilst seeking a solution. It will generally be necessary for the person accused of the unacceptable behaviour to be informed of the nature of the complaint, and for there to be some communication with any named witnesses and in some cases, other staff who are not named. A high degree of discretion and sensitivity should be exercised by all parties involved throughout the process and investigations will normally require limited disclosure on a 'need to know' basis.

We will, as far as possible, protect an employee's wish for confidentiality but reserve the right to seek advice from, or involve certain external authorities, if we believe that we have a legal responsibility to do so. This may mean confidentiality cannot be preserved. For example, where a complaint identifies unlawful discrimination, a safety concern or a potentially criminal act.

Any breach of confidentiality may result in the initiation of formal disciplinary proceedings.

Malicious or vexatious complaints

All complaints of unacceptable behaviour are treated seriously. A complaint may be considered to be malicious or vexatious if the outcome of an investigation finds it to have been made in bad faith, if deliberately false allegations have been made or where there is a continued pattern of unfounded allegations by the same employee. In such circumstances, it may lead to disciplinary action being taken in line with the Disciplinary Procedure.

Disciplinary action will not be taken, however if a complaint made in good faith is judged to be unfounded.

Management investigation

If the University has grounds to believe that there has been an incident of bullying or harassment but the employee is reluctant to pursue a formal complaint, an investigation may be instigated by the University and conducted in line with the Grievance Procedure.

Criminal offences

Certain types of harassment may constitute a criminal offence and in such an event the employee is advised to report the matter to the police.

We retain the right to involve the police where circumstances are so serious that it is appropriate to do so.

We will support the employee throughout any criminal proceedings.

4. Responsibilities

All employees

- ☑ Be aware of own conduct and behave in a way that is in accordance with our values and behaviours and respects the rights and dignity of others.
- ☑ Treat people fairly and value differences in others and the contribution they make.
- ☑ Modify behaviour if they become aware that it is unacceptable in light of this policy, even if no informal or formal complaint has been made.
- ☑ Encourage the person to seek appropriate support and offer appropriate assistance if an act of unacceptable behaviour is witnessed, e.g. provide a statement of the behaviour that has been witnessed.
- ☑ Draw to the attention of an appropriate manager if they feel that a workplace culture is developing which is leading or likely to lead to unacceptable behaviours.
- ☑ To co-operate fully and honestly in any informal or formal process to reach resolution.
- ☑ Maintain confidentiality and be open and constructive in all communications.

Managers

- ☑ Role model our values and behaviours promoting positive working relations and a culture where everyone is treated courteously and with respect.
- ☑ Adopt early intervention strategies to resolve workplace issues.
- ☑ Challenge and stop unacceptable behaviour in the workplace.
- ☑ Ensure that a complaint is addressed once it is brought to their attention.
- ☑ Provide effective, sensitive and rapid support to any employees who raise concerns, either on an informal or formal basis, about the behaviour of others towards them.

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|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Trade Unions | <ul style="list-style-type: none"> ✔ Provide effective support to employees who witness unacceptable behaviour and are involved in the resolution of the issue, either on an informal or formal basis. ✔ Take appropriate corrective action or seek advice from HR at an early stage on how to proceed if they are made aware of behaviour which contravenes, or may contravene this policy. ✔ Ensure all parties concerned have the required support in place in order to continue effective working relationships once a complaint has been resolved. |
| HR | <ul style="list-style-type: none"> ✔ Provide confidential advice and support to their members. ✔ Assist members explore options for informal resolution and indicate whether the matter is so serious that it warrants consideration under the formal procedure. |
| HR | <ul style="list-style-type: none"> ✔ Provide confidential advice and support on how to resolve concerns in a fair and consistent manner. ✔ Provide impartial guidance to all parties involved on the application of the Dignity at Work Policy and Procedure. |

5. Definitions

Definitions have been provided to help employees make informed judgements about whether a particular type of behaviour falls within the scope of this policy. There can be a significant overlap between these different types of behaviour.

Bullying or harassment is when someone is subjected to behaviour (single or repeated) by a person or group that is unwelcome, unwarranted and causes a detrimental impact.

The University has a set of behaviours which underpins our values and outlines how we expect people to interact with each other. Occasionally individual perceptions of behaviour may differ, perhaps due to differences in attitude, values, experience or culture and what one person considers to be acceptable behaviour may be unacceptable to another. The overriding consideration is that the behaviour is unacceptable to the recipient and the conduct can be reasonably considered to amount to bullying or harassment. When considering such allegations, we will apply a test of 'reasonableness' to determine if bullying or harassment has taken place.

We recognise that bullying does not need to be deliberate; someone may demonstrate bullying behaviour without intending to. Bullying and harassment may be obvious and visible to others or it may be more covert and difficult to identify. It can be verbal, physical, mental and also may occur through written or electronic communications, visual images, email, text, telephone and social networking. Whatever form it takes, it may cause offence, intimidation, humiliation, fear or distress to a person or group of people.

Academic debate and legitimate exercise of managerial responsibility do not amount to bullying or harassment. Positive, clear management action which relates to conduct, performance, attendance or legitimate operational needs taken in a fair and consistent way in line with University policies, does not constitute bullying or harassment. However, if an employee considers their dignity at work has been contravened, they are encouraged to consider the options for the resolution at the earliest opportunity.

Definition of Harassment

Harassment is “unwanted conduct related to a protected characteristic which has the purpose or effect or violating someone’s dignity or which creates a hostile, degrading, humiliating or offensive environment for someone with a protected characteristic.” Harassment is unlawful under the Equality Act 2010.

The behaviour or treatment may relate to a person’s age, disability, gender reassignment, sex, race, religion or belief or sexual orientation. Harassment may also be because of association with a person who has a protected characteristic, or because they are wrongly perceived to have one, or are treated as if they do.

Harassment may consist of persistent behaviour, although one single act may be considered sufficiently serious to warrant informal or formal escalation.

Sexual Harassment

Sexual harassment occurs when a person engages in unwanted conduct of a sexual nature which has the purpose or effect of violating someone’s dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for the individual concerned.

Unwanted conduct of a sexual nature can be verbal, non-verbal or physical behaviour. The recipient of the behaviour decides whether or not it is unwanted, it does not matter whether the conduct is acceptable to others. A single incident or persistent behaviour can amount to sexual harassment and sexual conduct that has been welcomed in the past can become unwanted.

☞ Examples of harassment are contained in the appendix

Definition of Bullying

Bullying is a form of harassment. Workplace bullying is “offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.” (ACAS)

Bullying is often an abuse of power, position or knowledge. It normally relates to negative behaviours that are repeated and persistent and deliberately targeted at a particular individual or group of people.

☞ Examples of bullying are contained in the appendix

Definition of Discrimination

Discrimination occurs when an individual or group of people is treated less favourably than others based on a protected characteristic under the Equality Act 2010, namely age, disability (seen and unseen), gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex and sexual orientation.

Direct discrimination occurs when someone is treated less favourably because of a protected characteristic they have or are thought to have, or because they associate with someone who has a protected characteristic.

Indirect discrimination occurs when someone is disadvantaged by an unjustified provision, criteria or practice that puts people with a protected characteristic at a disadvantage compared with others who do not share that characteristic.

As an inclusive institution there are additional grounds on which we will not discriminate, and these additional characteristics are socio-economic background, care experience, caring responsibilities, family circumstances, trade union membership and previous or reservist service in HM Forces.

☞ Examples of discrimination are contained in the appendix

Definition of Victimisation

Victimisation is subjecting someone to a detriment because they have made a complaint, supported a complaint or given evidence in relation to a complaint of bullying, harassment or discrimination (formally or otherwise); or because they are suspected of doing so.

Employees and witnesses who act in good faith have the right not to be victimised for making a complaint or doing anything in relation to a complaint. Making or supporting an untrue complaint or giving false evidence, may lead to the initiation of formal disciplinary proceedings.

☞ Examples of victimisation are contained in the appendix

Procedure – Dignity at Work

We recognise that it can be difficult to raise a complaint of harassment, bullying, discrimination or victimisation whether on an informal or formal basis. The purpose of this procedure is to support all parties involved and resolve issues promptly and fairly.

An informal approach may effectively address unwanted behaviour without recourse to a formal procedure and wherever possible this approach should be taken in the first instance. However, in circumstances where the alleged behaviour is deemed to be sufficiently serious an immediate formal investigation will be warranted.

Stage 1 - Informal Resolution

Informal resolution will allow ongoing working relationships the greatest chance to continue in an appropriate and constructive manner.

Employees who feel that they have experienced unacceptable behaviour, or have witnessed such behaviour, are encouraged act promptly to try to address the issue. Some people may be unaware that their behaviour is inappropriate or has caused offence or it may be that their words or actions have been misinterpreted. An informal approach may help them to understand the effects of their behaviour and may be sufficient to resolve the matter. Where appropriate, it can be an effective method of resolving issues.

Wherever possible, employees are encouraged to attempt to resolve any issues between themselves. If this is not possible, they should raise it with their manager or seek advice from HR and/or a trade union representative. If the complaint relates to their manager, they should raise it with another manager or with HR. There is no need to put the complaint in writing. The manager or HR representative should meet with the employee to facilitate a discussion to explore in confidence how the matter could be resolved informally. Genuine attempts should be made by the employee, the manager or HR representative and the person(s) concerned to find a mutually acceptable/agreeable solution and all parties will agree on any actions to be taken, and by when.

HR and/or the trade unions are available to provide advice to employees to help them resolve any issues informally and this may include attending informal meetings with the employee and their manager if all relevant parties agree to this.

If the employee is dissatisfied with the outcome of the informal approach then it may be appropriate to consider an alternative resolution method at this stage, for example a facilitated discussion or mediation.

☞ Options for taking informal action are described in detail in the appendix

Stage 2 - Formal Grievance

Employees can make a formal complaint of harassment, bullying, discrimination or victimisation if attempts at resolving the issue informally have been exhausted, unless it is not appropriate to use the informal approach due to the seriousness of the alleged behaviour.

A formal complaint raised under the Dignity at Work Policy will be handled as a “grievance” and employees should follow the formal procedure outlined in the University’s Grievance Policy and Procedure. Employees are encouraged to complete a grievance statement. Wherever possible, the following information should be provided:

- ☑ Name of the person/people about whom the complaint is made
- ☑ Nature of the behaviour about which the complaint is made
- ☑ Provide an indication of the impact that this behaviour has had
- ☑ Any specific examples of the unwanted behaviour or conduct, including times/locations of any incidents, where possible
- ☑ Indication of whether anyone else might have observed the behaviour
- ☑ Any action that has already been taken to challenge or stop the behaviour and the outcome of any such action

Employees can raise their formal grievance with their manager, an alternative manager or directly with HR.

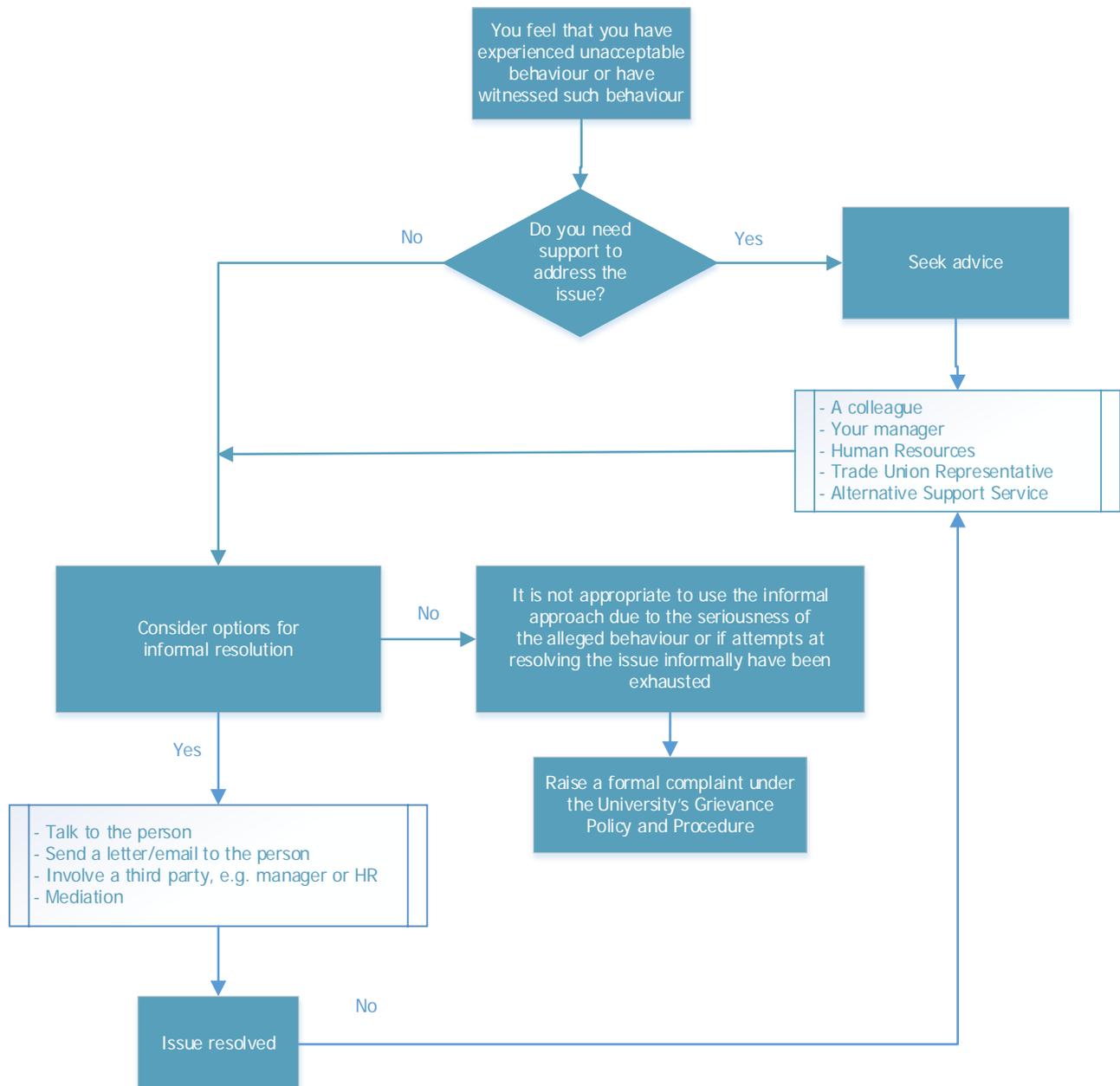
Related Policies

- [Grievance Policy and Procedure](#)
- [Disciplinary Policy and Procedure](#)
- [Social Media](#)
- [Inclusion Statement](#)
- [Student Conduct Regulations](#)

Document Control

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Appendix 1 – Dignity at Work Procedure Flow Chart





Appendix 2 - Examples of Unacceptable Behaviour

The University's set of [behaviours](#) underpins its values and outlines how people are expected to interact with each other.

Below is a list of examples of behaviours that may constitute harassment, bullying, discrimination or victimisation. The list is not exhaustive, however is indicative of behaviour that would be considered to be unacceptable by the University.

Harassment can take many forms, for example in a face-to-face setting, by telephone or in written or electronic communications. Harassment is unwanted behaviour that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

It is important to note that in addition to breaching this policy, most types of harassment will also be unlawful or may even constitute a criminal offence.

Sexual harassment may include:

- ☑ Suggestive comments, sexual innuendo, foul language or expletives of a sexual nature
- ☑ Unwelcome advances, propositions, gestures or demands of sex
- ☑ Making promises in return for sexual favours
- ☑ Unwanted or derogatory comments about clothing or appearance
- ☑ Suggestive looks, staring or leering
- ☑ Intrusive questioning about private or sex life, and discussing own sex life
- ☑ Displaying sexually graphic pictures, posters or photos
- ☑ Sexual posts or contact on social media
- ☑ Spreading sexual rumours about a person
- ☑ Sending sexually explicit emails or text messages
- ☑ Unnecessary and unwanted physical contact
- ☑ Unfair treatment due to a refusal to put up with sexual harassment
- ☑ Criminal behaviour, including sexual assault, stalking, indecent exposure and offensive communications

Racial harassment is any behaviour, deliberate or otherwise pertaining to race, colour, nationality and ethnic origin and may include:

- ☑ Derogatory name calling, obscene gestures or jokes about, or gratuitous references to a person's colour, race or nationality
- ☑ Offensive remarks about dress, culture or customs
- ☑ Display of racially offensive material

- ✔ Unfair treatment for reasons relating to race, e.g. allocation of work, deliberate exclusion
- ✔ Physical attack

Harassment on the grounds of disability is any behaviour that may be based on the fact that a person has a physical or mental impairment, learning difficulty or disfigurement. It may include:

- ✔ Ignoring, ridiculing or denying opportunities because of mistaken assumptions about a person's capability
- ✔ Offensive or patronising language, questioning, action or behaviour
- ✔ Inappropriate personal remarks, jokes or references to individual's appearance
- ✔ Display of offensive material

Harassment on the grounds of sexual orientation is any behaviour deliberate or otherwise, pertaining to actual or perceived sexual orientation. It may include:

- ✔ Homophobic remarks or jokes (spoken, written, sent electronically)
- ✔ Offensive comments relating to a person's sexuality
- ✔ Ridicule or derogatory comments
- ✔ Threats to disclose a person's sexuality to others
- ✔ Intrusive questioning about a person's sexual orientation
- ✔ Unfair treatment for reasons relating to sexuality, e.g. allocation of work, deliberate exclusion
- ✔ Physical attack

Harassment on the grounds of religion or belief is any behaviour deliberate or otherwise, pertaining to religion, religious belief or other similar philosophical belief. It may include:

- ✔ Offensive jokes or insults about items of clothing, religious artefacts, religious beliefs or rituals
- ✔ It can include discriminating against someone because of their lack of religion and/or belief
- ✔ Display of offensive material

Harassment on the grounds of gender re-assignment is any behaviour deliberate or otherwise, pertaining to gender re-assignment, gender identity or trans status or history. It may include:

- ✔ Offensive jokes, remarks, name calling, exclusion or being singled out for different treatment
- ✔ Being publicly identified or 'outed' as being trans or undergoing gender reassignment and violating an individual's privacy in relation to their gender identity
- ✔ Verbal threats

Harassment on the grounds of age is any behaviour deliberate or otherwise, pertaining to a person's age. It may include:

- ☑ Assumptions regarding a person's ability
- ☑ Offensive jokes or insults
- ☑ Exclusion on the basis of age or singling a person out for different treatment due to their age

Bullying can take the form of physical, verbal and non-verbal conduct by one or more people. Bullying is not normally connected to any of the grounds listed for harassment. If the behaviour is linked to one or more of their grounds, then it is often more likely to constitute harassment. Bullying is often, but not always based on the misuse of power derived from status/position, physical strength or force of personality.

The following list provides examples of the type of behaviours that could amount to bullying:

Obvious signs

- ☑ Open aggression, threats, abuse and obscenities, shouting and uncontrolled anger triggered by trivial situations.
- ☑ Physical shoving, intimidation or barring someone's way.
- ☑ Humiliating, ridiculing or belittling in front of others, persistent criticism or sarcasm.
- ☑ Personal insults, put-downs, name-calling or spreading malicious rumours.
- ☑ Ostracising someone, i.e. silent treatment, blatantly ignoring their views or comments or deliberately excluding them without good reason.
- ☑ Outing an individual as LGBT without their permission.
- ☑ Inappropriate and/or derogatory remarks about someone's performance.
- ☑ Verbal or practical jokes.

Less obvious signs

- ☑ Imposing unachievable objectives, intolerable workloads or impossible deadlines.
- ☑ Micro-managing, excessive or overbearing supervision or monitoring of an employee's work without good reason.
- ☑ Preventing progression by intentionally blocking promotion or training opportunities.
- ☑ Deliberately withholding information in order to embarrass someone or make them look foolish.
- ☑ Withdrawing responsibilities or decision-making authority without good reason or explanation.
- ☑ Repeatedly copying emails that are critical about someone to others who do not need to know.
- ☑ Making threats or comments about job security without foundation.
- ☑ Persistent unjustified criticism.

Discrimination happens when one person is treated less favourably than others because of a protected characteristic:

- | | |
|---------------------------|----------------------------------|
| ☑ Age | ☑ Disability |
| ☑ Gender reassignment | ☑ Gender identity |
| ☑ Religion or belief | ☑ Sex |
| ☑ Sexual orientation | ☑ Race |
| ☑ Pregnancy and maternity | ☑ Marriage and civil partnership |

Victimisation is penalising someone for making a complaint of discrimination, harassment or bullying (either informally or formally) and can take many forms. It may include:

- ☑ Giving someone unrealistic or impossible deadlines or a heavier or more difficult workload.
- ☑ Excluding someone from work-related activities or conversations in which they have a legitimate expectation to participate.
- ☑ Creating a difficult or oppressive environment for someone because they have made a complaint, for example talking negatively about them behind their back or making ridiculing or disparaging remarks.

Electronic Methods - given the degree of reliance upon electronic means of communication it should be noted that bullying, harassment, discrimination and victimisation can occur electronically and might involve:

- ☑ Sending emails which breach the terms of this Policy
- ☑ Inappropriate copying of emails to parties not relevant to the discussion, as a way of intimidating or inappropriately gaining leverage over another person
- ☑ Using, displaying or saving offensive materials (e.g. screensavers, photographs) which are then accessed, or seen by, another person or group of people
- ☑ Downloading, displaying or printing offensive material from an internet source in the presence of another person or group of people
- ☑ Intimidating, offensive or graphic posts or threats on social media sites or chat rooms

Where there is a legitimate academic reason to obtain, hold or transmit material that may be deemed offensive by some people, care should be taken to ensure that neither staff nor students are made to feel intimidated.

Appendix 3 – Options for taking informal action

It is important that the employee makes a note of incidents (including times, dates, location) along with the names of any witnesses to unacceptable behaviour, and always retains a copy of any written evidence.

Talking to the person concerned

- ☑ Where the employee or witness feels comfortable approaching the person concerned directly, they are encouraged to raise their concerns with them at an early stage in an attempt to resolve the matter informally.
- ☑ Employees may wish to seek advice or support beforehand from a colleague, manager, HR, trade union representative or an alternative support service.
- ☑ Employees may also approach the person concerned with a work colleague or trade union representative to provide support.
- ☑ It is important to prepare by thinking about what behaviours are causing the problem and how they could be changed.
- ☑ It is suggested that the employee outlines the behaviours that are causing concern explaining why the behaviour is unwanted and the impact that it is having on them.
- ☑ Specific examples and incidents that have taken place should be clearly defined in terms of time, content and frequency of behaviours.
- ☑ It is appropriate for the employee to request the unacceptable behaviour to stop immediately and state that if it continues, they may raise their concerns formally.
- ☑ It can be helpful for the employee to describe how they wish to be treated, desired alternative behaviours or offer possible solutions as to how the situation could be resolved.
- ☑ It is advisable to note down factual information about the discussion that takes place and any agreed outcomes.
- ☑ A brief and honest discussion between the parties conducted in a calm but firm way gives the person concerned an opportunity to remedy the situation. This approach is most appropriate when the working relationship is still reasonably positive and when the unwanted behaviour is recent.

Writing to the person concerned

- ☑ If the employee or witness does not feel comfortable to raise their concerns directly, or where a meeting is not possible in the near future, they could consider putting their concerns in writing.
- ☑ Employees may wish to seek advice or support beforehand from a colleague, manager, HR, trade union representative or an alternative support service.

- ☑ It is important to prepare by thinking about what behaviours are causing the problem and how they could be changed.
- ☑ It is suggested that the letter/email clearly describes the behaviours that are causing concern explaining why the behaviour is unwanted and the impact that it is having on the employee.
- ☑ Specific examples and incidents that have taken place should be clearly defined in terms of time, content and frequency of behaviours.
- ☑ It is appropriate that the letter/email states that the unacceptable behaviour should stop immediately and that if it continues, the matter may be raised formally.
- ☑ It can be helpful for the letter/email to describe desired alternative behaviours or offer possible solutions as to how the situation could be resolved.
- ☑ It is advisable to note down factual information about any discussion that takes place subsequently and any agreed outcomes.
- ☑ The letter/email should be short and to the point and gives the person concerned an opportunity to remedy the situation. This approach is most appropriate when the working relationship is still reasonably positive and when the unwanted behaviour is recent.

Involving a manager

- ☑ If an employee does not wish to take personal action to raise concerns, or has done so but the behaviour has continued, they may wish to seek a meeting with their manager, an alternative manager or the manager of the person concerned to discuss the situation.
- ☑ If the concerns relate to their own manager, and the employee does not feel comfortable to approach them directly, the employee should raise the matter with an alternative manager or with HR.
- ☑ Employees may wish to seek advice or support beforehand from a colleague, HR, trade union representative or an alternative support service.
- ☑ The manager should meet with the employee to explore in confidence how the matter could be resolved informally through any discussions or actions, and if there is a way of preventing a recurrence in future.
- ☑ Actions that the manager could take will depend upon the complaint and may include:
 - Discreet fact finding to establish what has occurred.
 - Recommending how the employee can resolve the issue themselves.

- Discussing the matter with the person(s) about whom the complaint has been made with or without the employee being present, depending upon their wishes and the nature and circumstances of the allegation.
- Agreeing acceptable standards of behaviour between the individuals involved.
- Agreeing a way forward between the individuals, for example facilitating where appropriate an apology and an undertaking not to repeat the behaviour.
- Making temporary or permanent adjustments to the working arrangements or environment and monitoring the outcome.
- Training on bullying and harassment issues, on-going support such as counselling, mediation, mentoring etc. and any other appropriate steps to ensure that good working relations are restored/maintained.

☑ The manager should take a note of the agreed outcomes at each meeting and share these with those in attendance.

☑ In cases where the allegations are serious, the manager should refer the matter to a more senior manager and/or to HR.

Mediation

☑ Mediation is an important consideration for resolving issues at an early stage. It is a voluntary process where an impartial third party enables two or more people to work through conflict or disagreement.

☑ It involves the appointment of a trained facilitator who seeks to help people discuss the situation honestly and confidentially in order to come up with a way forward that is acceptable to all parties.

☑ Mediation is complimentary to other support services, such as the Employee Assistance Programme, Occupational Health or trade union support.

☑ HR can provide further details about mediation.

Facilitated Discussion

☑ An independent third party, a manager or HR can facilitate a discussion between the parties. This is not mediation, however having someone else involved in the discussion, may aid communication and help people to work through the issue.

☑ This is a voluntary process and can only take place if all parties agree.