

Bullying, Harassment, Discrimination and/or Victimisation policy and procedure – Appendix 5

Informal Procedure for dealing with claims of bullying, harassment, Discrimination and/or Victimisation.

Employees are encouraged to use the informal procedure to resolve complaints of harassment and bullying, wherever possible. The informal route creates an opportunity to resolve problems swiftly and confidentially without the formality of an official procedure and investigation. It allows the parties concerned the space to work out any potential misunderstandings about behaviour, and reduces the risk of problems escalating.

Line managers, support officers, trade union representatives and the Occupational Health Service should encourage employees to take the informal route to resolve problems.

ap5.2 An employee who feels they are subject to harassment and/or bullying should discuss the issue in the first instance with an appropriate person. This ideally should be their line manager. However, if they feel unable to do this, perhaps because their manager is the alleged harasser/bully, they can contact instead a more senior manager, or their trade union representative or a support officer.

Support Officers are employees of the council who have been trained to support employees who are experiencing harassment or bullying (see Appendix 6 for a list of trained support officers).

ap5.3 The person contacted by the employee will arrange to meet the employee as soon as possible. In the meeting they should:

- listen to what the employee has to say
- seek to clarify with the employee exactly what has happened, and the grounds on which they feel they have been harassed or bullied
- assist the employee in completing a written record of harassment and/or bullying (see Appendix 7), which will help the employee to clarify what happened and when, and which can be kept by the employee in case further action is taken.
- outline the options under this policy (see ap5.6 below)
- offer support in taking action at this stage
- The line manager/union representative/support officer will keep these discussions in confidence, unless the employee asks them to discuss with others. (This is subject to the guidelines set out in section 5 of this policy on confidentiality). It is recommended that the employee's line manager is kept informed, unless the circumstances of the case make this inappropriate.

- The line manager/union representative/support officer can, of course, seek advice from the HR Advice & Projects Team.
- ap5.6 The options available are:-

Option A:

To speak directly to the alleged harasser/bully (either on their own or in the company of their line manager, union representative or support officer).

Option B:

Speak to their line manager (or his/her manager if it is their own manager who is the alleged harasser/bully) who will speak to the alleged harasser/bully.

Option C:

Ask their union representative or support officer to speak to the alleged harasser/bully.

Option D:

Take no action but complete the written record of events (see Appendix 7) for possible future use.

ap5.7 The person supporting the employee will also advise them of the support available from the Occupational Health Service and NOSS, the external counselling service (See FAQ 11 for contact details).

ap5.8 Informally Raising the Issue with the alleged harasser/bully

The discussion with the alleged harasser/bully should include, as appropriate:

- a description of the behaviour that causes the concern
- a description of how the behaviour makes the employee feel
- that the employee wants the behaviour to stop
- how the employee wishes to be treated in future
- that the employee has the right to take the matter to the formal stage of the policy if the behaviour does not stop
- an indication of the grounds on which the person feels discriminated against (if applicable)
- their response and any explanation.

ap5.9 A verbal agreement should be reached between the employee and the alleged harasser/bully on the standards of behaviour to be upheld in the future, and any actions to be taken.

ap5.10 Where the employee, or someone on their behalf, has approached the alleged harasser/bully and the unacceptable behaviour stops then there is no need to take further action. However, the employee should keep any notes they have made about incidents in case the behaviour recurs. The person supporting will maintain contact with the employee until they consider the employee no longer needs support.

ap5.11 When informal action has been taken, the person supporting the employee should, in liaison with the employee, complete the informal procedure monitoring form (Appendix 8). The form does not require the names of either the employee or the alleged harasser/bully to be disclosed. This information will only be used for monitoring purposes by HR & Development. However, the form may be referred to at a later date should the employee take his/her complaint to the formal stage.

The form will be sent to the head of Human Resources & Development and retained on a case file for 6 years. This information will only be used for monitoring complaints of harassment and bullying and how they have been resolved, and may be referred to in future investigations, if appropriate to do so.

ap5.12 If the employee does not wish to use the informal procedure, or has attempted to resolve the problem informally but the behaviour has not stopped, then they may take the issue to the formal stage i.e. use the grievance procedure.

For more information please see the flow chart showing informal and formal procedures for harassment and bullying.