



HARASSMENT & BULLYING

MANAGER / HR RESPONSIBILITIES

Harassment & Bullying General Guidance

What do we expect from managers?

- Read and follow procedure and guidelines (on Our Derbyshire).
- Attend briefings/management development courses on Harassment & Bullying procedure where necessary
- Demonstrate appropriate behaviour in working environment.
- Challenge employees demonstrating inappropriate behaviours in normal work environment.
- Ensure staff are aware of and comply with the harassment and bullying procedure.
- Ensure documentation is placed on the personal file appropriately.
- Ensure high level of confidentiality is stressed to all parties involved.

What can you expect from HR?

- Briefing/training on Harassment & Bullying procedure.
- Guidance throughout the process if required.
- Support with wording of documents/letters where necessary.
- Presence at meetings and appeal where appropriate.

Informal Stage

What do we expect from managers?

- Attempt to resolve complaint by discussing issues with employees and other relevant parties, gathering any
- information necessary.
- Discuss with the alleged harasser aspects of their behaviour which may be considered inappropriate, and why, and ask them to stop such behaviour.
- Inform employees of outcome and take any necessary actions.
- Consider the seriousness of the allegation and whether it should be pursued formally.
- Consider and initiate mediation where appropriate.

What can you expect from HR?

- Advice if the complaint proves to be difficult to resolve informally.
- Guidance on mediation.
- Help support and guidance on how to resolve the complaint.
- Advice on whether complaint should be pursued under informal or formal process.
- Advice on differences in background / culture which may lead to misinterpretation of signals.
- Advice on positive ways of resolving complaints.

Formal Stage 1

What do we expect from managers?

- Consider whether the nature of the allegation constitutes potential misconduct and should be investigated under the disciplinary procedure.
- Arrange separate meetings with both parties to discuss the complaint, giving both parties the right to be accompanied.
- Interview any other witnesses as necessary.
- Take any necessary actions (including arranging Advice on harassment and bullying process where necessary).
- Advice on consideration of alternative working arrangements where necessary.
- Advice on whether the complaint may constitute bullying / harassment and whether the complaint should be investigated under the disciplinary procedure investigatory meeting if required).
- Consider alternative working arrangements if this is required.
- Where the complaint is found to be unsubstantiated, inform both parties and facilitate conciliation process.
- Where the complaint is substantiated, pursue the complaint under the disciplinary process.

What can you expect from HR?

- Advice on harassment and bullying process where necessary.
- Advice on consideration of alternative working arrangements where necessary.
- Advice on whether the complaint may constitute bullying / harassment and whether the complaint should be investigated under the disciplinary procedure.

Investigation

What do we expect from managers?

- Investigation Officer interviews employee, alleged perpetrator and any known witnesses.
- Decides whether following investigation the disciplinary process should be instigated.
- Implement any investigation as quickly as possible in order to avoid the situation worsening.

What can you expect from HR?

- Advice on investigatory process if necessary.

Formal Stage 2 Appeal Hearing

What do we expect from managers?

- Prepare a statement of case, containing statements and known facts.
- Arrange for witnesses to attend, present the management statement of case, including questioning witnesses.
- An Appeals Officer will hear the Appeal and decide the outcome and send a letter confirming outcome.

What can you expect from HR?

- Support on statement of case preparation – where necessary.
- HR advisor presence at all harassment / bullying appeals to advise the Appeal Hearing Officer.
- HR advisor to assist in preparation of outcome letter/any actions – where necessary.
- Additional HR presence at appeal to support presenting manager – where necessary.