

Dignity at Work Guidance Note

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Strategic Alignment
Improving the Council's Resource Base – A Workforce Strategy that is built around the needs of the Council (as a single resource base) to deliver the priority outcomes, ensuring future workforce requirements, new skills and innovative approaches, and succession planning are recognised.

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| Consultation process | | |
| Stakeholders | Contacts identified for each service | |
| | <i>Joint Trade Unions</i> | |
| Distribution | | |

Change record

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| Date | <i>28/02/2019</i> | Author | <i>Employee Relations Team, EmployeeRelationsTeam@northlan.gov.uk</i> |
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1. Introduction

1.1 This Guidance Note is intended to support the Dignity at Work Policy. It provides examples of potential types of discrimination / harassment / victimisation etc that could occur and outlines the investigation process to be followed should a formal complaint be made. In addition, to ensure there is a measure of consistency across all Services, template letters and a report format have been included within the Guidance Note, along with suggested areas for discussion during an investigation meeting.

2. Harassment / victimisation / bullying

2.1 Harassment and victimisation are types of discrimination. Harassment is normally characterised by more than one incident of unacceptable behaviour. However, just one incident may constitute harassment if it is sufficiently serious.

2.2 Victimisation means treating somebody less favourably than others because they tried to make, or made, a complaint about discrimination. For example, it could be a line manager or other employee preventing an employee from going on a training course, unfair disciplinary action being taken against an employee or being excluded from social events as a result of that employee having made a complaint about discrimination.

2.3 If an employee is treated unfairly, which is not considered direct / indirect discrimination, harassment or victimisation, it may be that bullying has occurred. Workplace bullying can range from extreme forms such as violence and intimidation to less obvious actions like deliberately ignoring someone at work. Bullying is not to be confused with firm, fair and consistent management where an employee does not agree with a reasonable management instruction.

2.4 Bullying can be split into two categories.

Obvious bullying

Examples include:-

- Shouting or swearing at people in public and/or private
- Ignoring or deliberately excluding people
- Persecution through threats and instilling fear
- Spreading malicious rumours
- Constantly undervaluing effort
- Dispensing disciplinary action which is totally unjustified
- Spontaneous rages, often over trivial matters

Less obvious bullying

Examples include:-

- Withholding information or supplying incorrect information
- Deliberately sabotaging or impeding work performance
- Constantly changing targets
- Setting individuals up to fail by imposing impossible deadlines
- Removing areas of responsibilities and imposing menial tasks
- Consistently blocking applications for holiday, promotion or training.

3. Examples of discrimination / harassment / victimisation

For reference purposes, the following are some examples of the various types of discrimination / harassment / victimisation which could occur.

Examples of harassment related to disability:-

An employee has a hearing impairment and is verbally abused because he wears a hearing aid.

An employee has a son with a severe disfigurement. His work colleagues make offensive remarks to him about his son's disability. The employee could have a claim for harassment related to disability.

Example of harassment related to sexual orientation:-

A worker is subjected to homophobic banter and name calling, even though his colleagues know he is not gay. Because the form of the abuse relates to sexual orientation, this could amount to harassment related to sexual orientation.

Examples of discrimination by association:-

A lone father caring for a disabled son has to take time off work whenever his son is sick or has medical appointments. The employer appears to resent the fact that the worker needs to care for his son and eventually dismisses him. The dismissal may amount to direct disability discrimination against the worker by association with this son.

A manager treats a worker (who is heterosexual) less favourably because she has been seen out with a person who is gay. This could be direct sexual orientation discrimination against the worker because of her association with this person.

Examples of discrimination by perception:-

An employer rejects a job application form from a white woman whom he wrongly thinks is black, because the applicant has an African-sounding name. This would constitute direct race discrimination based on the employer's mistaken perception.

A masculine-looking woman applies for a job as a sales representative. The sales manager thinks that she is transsexual because of her appearance and does not offer her the job even though she performed the best at interview. The woman would have a claim for direct discrimination because of perceived gender reassignment, even though she is not in fact transsexual.

Examples of victimisation:-

A grocery shop worker resigns after making a sexual harassment complaint against the owner. Several weeks later, she tries to make a purchase at the shop but is refused service by the owner because of her complaint. This could amount to victimisation.

An employer threatens to dismiss a staff member because he thinks she intends to support a colleague's sexual harassment claim. This threat could amount to victimisation, even though the employer has not actually taken any action to dismiss the staff member and may not really intend to do so.

4. Support Mechanisms

- 4.1 The Council's Dignity at Work Support Officers (previously known as Harassment Support Officers) can provide support at both the informal and formal stage of a complaint in terms of the Dignity at Work Policy. At the informal stage they can outline the options available; explain the policy and procedures; facilitate meetings and provide support. At the formal stage they can provide ongoing support; accompany individuals to investigation meetings; provide assistance to the individual in any subsequent proceedings.
- 4.2 The Council offers professional counselling services to employees in need of support. This service can provide assistance on a range of issues, including harassment or bullying. Further information is available on Connect or through the Service HR teams.

- 4.3 In addition to the above, trades union representatives, members of the Council's employee forum, line managers and human resources representatives can always be contacted for support and advice.

5. Investigation Process – Formal Complaint

The following process should be followed for every formal complaint raised by an employee in terms of the Dignity at Work Policy. The investigation process should normally be completed within 12 weeks, where possible and reasonable. However, it is accepted that in some cases this will not be feasible, for example, because of the seriousness of the complaint and / or the number of employees involved in the investigation. At all times those concerned must be kept informed if this 12 week timeframe cannot be met.

- 5.1 Employee will write to their Service Executive Director outlining the complaint and using the sample template (Letter 1).
- 5.2 The Executive Director will write to the complainant acknowledging receipt of the complaint; advise the complainant that this is being passed to a nominated senior officer who will arrange for the matter to be investigated, and that this officer will then respond in writing to the complainant (Letter 2).
- 5.3 The nominated senior officer will:-
- advise the complainant in writing of the names and job titles of the officers who will investigate the complaint (Letter 3).
 - advise that the investigating officers will be in touch to arrange to meet the complainant and that he / she will respond to the complaint in writing following this.
 - ensure that the person(s) against whom the complaint has been initiated has been made aware of this (Letter 4).
- 5.4 The investigating officers, which will include an HR officer, will meet to have an initial discussion on the complaint; identify relevant witnesses and agree dates / order / location of interviews in relation to the complainant, the person(s) the complaint is against and witnesses. Consideration should also be given to the likely timescale for the completion of the investigation and this timescale should be made known to all parties. Questions to be asked of each party should be agreed in advance of all meetings.
- 5.5 The lead investigating officer will:-

- write to the complainant, outlining the arrangements to meet, to allow him / her the opportunity to explain the complaint in more detail. (Letter 5).
- provide the complainant with a copy of the Dignity at Work Policy and a list of Dignity at Work Support Officers.
- write to all witnesses, outlining the arrangements to meet, to seek further relevant information from them. (Letter 6).
- write to the person(s) the complaint is against, outlining the arrangements to meet, to allow him / her / them to explain their views on the complaint; provide a summary of the complaint, which has been agreed by the complainant, and which are the issues being investigated; provide a copy of the Dignity at Work Policy and a list of Dignity at Work Support Officers (Letter 7).

5.6 At the investigation meeting:-

- the lead investigating officer will explain the purpose of the meeting. An outline of what should be covered at the beginning and end of interviews is given as Appendix 1. An accurate note should be taken of the meeting.

5.7 Following the investigation meetings, the lead officer will ensure that individuals who have been interviewed (including complainant and person(s) the complaint is against) are sent a copy of the note of their meeting. They will be asked to check the note for accuracy, then sign it and return it to the lead officer, agreeing that this statement is a true record of the meeting. These statements will be included in the subsequent report, as outlined below.

5.8 On completion of the investigation, the investigating officers will meet to discuss their conclusions. It is the responsibility of the lead investigating officer to submit the findings of the investigation to the nominated senior officer, which will include:-

- a copy of the initial letter of complaint.
- statements taken from individuals interviewed as part of the investigation.
- any relevant supplementary material such as job descriptions.
- a summary report.

The summary report is particularly important and it should be written in a way which helps the recipient to understand all the material provided. It should outline the background to the complaint, the findings, conclusions, and any recommendations and be cross-referenced to the other material included. A contents page should be included, and where necessary, a chronology. A sample structure for a summary report is given as Appendix 2.

- 5.9 Following consideration of the findings, the nominated senior officer will make appropriate arrangements to meet separately with the complainant, the person(s) the complaint is against and any witnesses, as appropriate, to debrief them on the outcome. Ways of restoring satisfactory working relationships by offering training, teambuilding, counselling etc can be discussed at this time.
- 5.10 Within 14 days of receiving the report, the nominated senior officer will write to **the complainant** confirming the outcome, i.e. that the complaint is upheld, not upheld or upheld in part. An outline of the opening and closing paragraphs of such a letter is given as Letter 8.
- 5.11 Within 14 days of receiving the report, the nominated senior officer will write to **the person(s) the complaint is against** confirming the outcome, i.e. that the complaint is upheld, not upheld, or upheld in part (Letter 9).

6. Right of Appeal

- 6.1 An employee who raises a formal complaint which is investigated through the Dignity at Work Policy and who is dissatisfied with the outcome cannot then raise a grievance about the same complaint through the relevant grievance procedure.
- 6.2 If an employee is unhappy with the decision of the nominated officer not to uphold a formal complaint, or uphold it only in part, he/she will have the opportunity to exercise their right of appeal through the Dignity at Work policy. He/she must write to their Executive Director within 14 days of receiving the decision of the nominated senior officer, detailing the reasons why they are dissatisfied. A sample letter (Letter 10) advises the employee of how to structure the appeal submission. The Executive Director will acknowledge receipt of the appeal letter, in writing, within 7 days of receiving it. (Letter 11).
- 6.3 The Executive Director will nominate a senior officer to conduct an independent, paper based review of the findings, with a representative from Corporate HR. The appeal process will not re-investigate the original complaint. The appeal will consider whether the outcome of the original investigation was reached in a comprehensive and thorough manner. The nominated senior officer will make recommendations following their review and pass these back to the Executive Director.
- 6.4 Where the appeal process finds that the original investigation into the complaint was sound, the Executive Director will then confirm in writing to the complainant the outcome of the appeal within 7 days. (Letter 12). The Executive Director will also notify the person (s) the complaint is against of the

outcome of the appeal, also within 7 days. (Letter 13). There is no further right of appeal.

- 6.5 In the event that the appeal finds the original investigation to be flawed, the Executive Director will refer the case back to the Service for a supplementary investigation (which addresses all flaws substantiated within the appeal) to be carried out. The Executive Director will write to the complainant to advise of the outcome of the appeal and the need for a supplementary investigation (Letter 14). The supplementary investigation will be carried out by the original investigating team and led by the original nominated senior officer. Within 14 days of receiving the supplementary investigation report, the nominated senior officer will write to **the complainant** confirming the outcome, i.e. that the complaint is upheld, not upheld or upheld in part. There is no further right of appeal.

Letter 1

Sample letter to assist an employee with making a formal complaint.

The letter should detail the following:-

- that you are making a formal complaint under the Dignity at Work Policy
- who it is against
- incidents or events, including timescales
- what he / she / they did or said which in your opinion represents bullying, harassment, discrimination or victimisation and why you believe this to be the case
- where applicable, you should also state whether you have already taken any **personal** action to resolve the situation, e.g. asking the person to stop.

Dear **NAME OF SERVICE EXECUTIVE DIRECTOR**

Complaint

I am a **(JOB TITLE)** at **(NAME OF WORK LOCATION)**.

I wish to make a formal complaint of bullying / harassment / discrimination / victimisation (**Please specify**) in terms of the Council's Dignity at Work Policy. My complaint is against **NAME(S), JOB TITLE(S)** who is **(RELATIONSHIP TO SELF e.g. my colleague OR my line manager)** and relates to an incident which occurred on DATE(S) (for single incidents) **OR** events over **TIMESCALE** (for longer periods).

The reason(s) for my complaint is / are..... **Explanation of complaint, i.e. what the person(s) complained against did or said, divided into areas or separate incidents where applicable – e.g:**

- a) detail, detail
- b) detail, detail
- c) detail, detail

I feel that this is bullying / harassment / discrimination / victimisation because.....
(**REASON**, if not given above)

Any action already taken to resolve the situation, where applicable, e.g -

I previously asked NAME(s) to stop but this has not happened **OR**
I previously asked a Dignity at Work Support Officer to assist me but.... **OR**
I previously tried to resolve this informally but.....

I would like my complaint to be investigated and I look forward to receiving a formal response.

Yours sincerely

NAME, JOB TITLE

Letter 2

Letter from Service Executive Director to complainant

Dear NAME

Complaint

I am writing to acknowledge receipt of your letter of **DATE**, intimating a formal complaint in terms of the Council's Dignity at Work Policy.

I have passed this to **(NAME OF SENIOR OFFICER CONCERNED)** who will arrange for your complaint to be investigated and who will then respond to you in writing.

I trust that this is acceptable to you.

Yours sincerely

Service Executive Director

Letter 3

Letter from nominated senior officer to complainant

Dear NAME

Complaint

Further to **NAME**, Executive Director's letter to you of **DATE** regarding the above, I write to advise that I have asked **NAMES & JOB TITLES** to investigate your complaint, following which I shall respond to you in writing.

I would confirm that your complaint will be investigated fully in accordance with the Council's Dignity at Work Policy and **NAME (i.e. the lead investigating officer)** will be in touch with you soon, to arrange to meet in order to seek further information from you on your complaint, and to explain how the investigation will be conducted.

Unless I hear otherwise, the investigation will commence on **DATE**.

I trust that this is acceptable.

Yours sincerely

NAME (Nominated senior officer)

Letter 4

Letter from nominated senior officer to person the complaint is against

Dear **NAME**

Complaint

Further to a complaint of bullying / harassment / discrimination / victimisation made against you, I have been asked by the Executive Director to investigate the matter. I write to advise that I have asked **NAMES & JOB TITLES** to investigate this complaint, following which I shall respond to you in writing.

I would confirm that the complaint will be investigated fully in accordance with the Council's Dignity at Work Policy and **NAME (i.e. the lead investigating officer)** will be in touch with you soon, to arrange to meet in order to seek further information from you on this complaint, and to explain how the investigation will be conducted.

Unless I hear otherwise, the investigation will commence on **DATE**.

I trust that this is acceptable.

Yours sincerely

NAME (Nominated senior officer)

Letter 5

Letter from lead investigating officer to complainant

Dear **NAME**

Investigation

I refer to previous correspondence regarding the above.

As previously advised **NAME, JOB TITLE** and I have been asked to investigate the formal complaint you have made in terms of the Council's Dignity at Work Policy.

In this respect, the investigating officers would like to meet with you on **DATE, TIME, VENUE**. Please report to the main reception area at that time.

At the meeting on **DATE** you will have the opportunity to explain your complaint in more detail. I will outline how the investigation will be conducted and answer any questions you may have on the process entailed. If you wish you may be accompanied at the meeting by a trade union representative, a Dignity at Work Support Officer or a colleague.

I have attached for your information a copy of the Council's Dignity at Work Policy together with a list of the Council's Dignity at Work Support Officers who, in addition to accompanying you at meetings, can provide support during the formal process.

Please confirm to **NAME** on the above telephone number, that you will be attending the meeting at the time specified above.

Yours sincerely

NAME (Lead investigating officer)

Letter 6

Letter from lead investigating officer to witness

Dear **NAME**

Investigation

I write to advise that I have been asked to investigate a formal complaint of bullying / discrimination / harassment / victimisation which **NAME, JOB TITLE** has made against **NAME(S) JOB TITLE(S)** in terms of the Council's Dignity at Work Policy.

I will be lead investigating officer assisted by **NAME, JOB TITLE**. We believe that you may have some information which may assist the investigation and would therefore like to meet with you on **DATE, TIME, VENUE**. Please report to the main reception area at that time.

Please note that you are not the focus of the complaint. At the meeting I will explain how the investigation will be conducted and seek information from you which is relevant to the complaint insofar as you are able to provide this. If you wish, you may be accompanied at the meeting by a trade union representative, a Dignity at Work Support Officer or a colleague.

Please confirm to **NAME** on the above telephone number, that you will be attending the meeting at the time specified above.

Yours sincerely

NAME (Lead investigating officer)

Letter 7

Letter from lead investigating officer to person(s) the complaint is against

Dear **NAME**

Investigation

I write to confirm that I have been asked to investigate a formal complaint of bullying / discrimination / harassment / victimisation which **NAME, JOB TITLE** has made against you in terms of the Council's Dignity at Work Policy.

I attach a summary of the complaint.

At the meeting on **DATE** I will ask you for more information relating to our investigation of the complaint and give you the opportunity to explain your views on the complaint from your perspective. I will also outline how the investigation will be conducted and answer any questions you may have on the process entailed. If you wish you may be accompanied at the meeting by a trade union representative, a Dignity at Work Support Officer or a colleague.

I have attached for your information a copy of the Council's Dignity at Work Policy together with a list of the Council's appointed Dignity at Work Support Officers who in addition to accompanying you at meetings can provide support during the formal process.

Please confirm to **NAME** on the above telephone number, that you will be attending the meeting at the time specified above.

Yours sincerely

NAME (Lead investigating officer)

Letter 8

Letter from nominated senior officer to complainant following completion of investigation

Dear NAME

Complaint

I refer to previous correspondence regarding the above.

Following full investigation in terms of the Council's Dignity at Work Policy and having considered carefully the evidence available to me, it is my decision to uphold your complaint / not uphold your complaint / uphold your complaint in part on the following basis.

- a) Explanation
- b) Explanation
- c) Explanation

If this has not already happened, contact will be made with you to arrange that you have the opportunity to discuss the implications of this in more detail.

You have the right of appeal against this decision. If you wish to exercise this right you must write to your Executive Director within 14 days of receiving this letter, detailing the reasons why you are dissatisfied.

Please be aware that the appeal will not re-investigate your original complaint but will focus on whether the outcome of the original investigation was reached in a thorough and comprehensive manner.

Yours sincerely

NAME Nominated senior officer

Letter 9

Letter from nominated senior officer to person(s) the complaint is against following completion of investigation

Dear **NAME**

Complaint

I refer to previous correspondence regarding the formal complaint which **NAME** made against you in terms of the Council's Dignity at Work Policy.

Following full investigation and having considered carefully the evidence available to me, it is my decision to uphold **NAME'S** complaint /not uphold **NAME'S** complaint / uphold **NAME'S** complaint in part. *(No detail given)*

If this has not already happened, contact will be made with you to arrange that you have the opportunity to discuss the implications of this in more detail.

Yours sincerely

NAME Nominated senior officer

Letter 10

Letter from complainant submitting an appeal against outcome of investigation.

(Please be aware that the appeal will not re-investigate your original complaint but will focus on whether the outcome of the original investigation was reached in a thorough and comprehensive manner. Your appeal letter should provide reasons to substantiate your belief that the investigation process did not fully consider the complaint and, therefore, did not reach a fair conclusion. See section 11 of the Dignity at Work Policy for more information.)

Dear SERVICE EXECUTIVE DIRECTOR

Complaint

I write with reference to your letter of DATE which gave the outcome of my complaint against NAME in line with the Dignity at Work Policy. I would like to appeal this decision on the following grounds.

- a) Reason
- b) Reason
- c) Reason

I look forward to receiving a formal response.

Yours sincerely,

NAME, JOB TITLE & WORK LOCATION

Letter 11

Letter from Service Executive Director to complainant acknowledging receipt of appeal and outlining the next steps

Dear NAME

Complaint

I acknowledge receipt of your letter dated (date of employee letter) appealing against the decision made by (name of nominated senior officer), following the full investigation in terms of the Council's Dignity at Work Policy.

I write to inform you that I have nominated (name of nominated senior officer) to conduct an independent, paper based review of the findings and the decision taken.

(Name of nominated senior officer) will make recommendations to me following their review and I will then write to you with the outcome of the appeal.

Please be aware that the appeal will not re-investigate your original complaint but will focus on whether the outcome of the original investigation was reached in a thorough and comprehensive manner. Should the appeal process find the original investigation to be flawed, your complaint will be re-referred for supplementary investigation.

There is no further right of appeal.

Yours sincerely

Service Executive Director

Letter 12

Letter from Service Executive Director to complainant following appeal – no evidence that the investigation was flawed

Dear NAME

Complaint

Following your appeal against the decision made by (name of nominated senior officer) following the full investigation in terms of the Council's Dignity At Work Policy into your complaint of....., I have considered carefully the evidence available to me and in particular, the recommendations made by (name of nominated senior officer).

All aspects of your investigation, including the process, evidence and witness statements gathered have been carefully evaluated. The grounds for the appeal which you submitted have been fully examined. It is considered that the original investigation into your complaint was conducted in a fair and comprehensive manner.

- 1) Explanation
- 2) Explanation
- 3) Explanation

As a result, the outcome of your complaint stands and your appeal is not upheld.

In accordance with the Dignity at Work Policy, I confirm that you have no further right of appeal.

Yours sincerely

Service Executive Director

Letter 13

Letter from Service Executive Director to person(s) the complaint is against following appeal - no evidence that the investigation was flawed

Dear NAME

Complaint

I refer to previous correspondence regarding the formal complaint which NAME made against you in terms of the Council's Dignity at Work Policy.

Following an appeal made by NAME against the decision made by (name of nominated senior officer), a second stage review of the investigation process has been undertaken. It is considered that the original investigation into the complaint from NAME was conducted in a fair and comprehensive manner, and as such the appeal was not upheld.

No further right of appeal is available to the complainant.

Yours sincerely

Service Executive Director

Letter 14

Letter from Service Executive Director to complainant following outcome of appeal – grounds for supplementary investigation.

Dear NAME

Complaint

Following your appeal against the decision made by (name of nominated senior officer) following the full investigation in terms of the Council's Dignity At Work Policy into your complaint of....., I have considered carefully the evidence available to me and in particular, the recommendations made by (name of nominated senior officer).

All aspects of your investigation, including the process, evidence and witness statements gathered have been carefully evaluated. Taking into account, the grounds for the appeal submitted by you in your letter of DATE, it is considered that the original investigation into your complaint failed to address the following points:

- 1) For example, failed to speak to an important witness
- 2) For example, did not provide you with enough information about the findings of the investigation.

As a result, NAME OF NOMINATED SENIOR OFFICER will contact you regarding a supplementary investigation into your original complaint.

In accordance with the Dignity at Work Policy, I confirm that you have no further right of appeal.

Yours sincerely

Service Executive Director

Appendix 1 - Notes for Investigation Meeting(s)

The following outlines main points for discussion at an investigation meeting, and can be adjusted to suit the needs of the investigation, as required.

A - Points which the lead investigating officer should cover with the COMPLAINANT at the investigation meeting(s)

- Introductions – introduce those present and their role in the investigation, including note taker if one present; clarify capacity of person(s) accompanying the complainant, if applicable.
- Format of investigation – outline the stages; the likely timescale for completion; the support available.
- Confidentiality – ensure all present are made aware of the need for confidentiality throughout the investigation.
- Purpose of investigation – summarise complaint/reason for investigation.
- Confirm that employee still wishes to proceed with formal complaint in terms of the Dignity at Work Policy.
- Format of meeting – ask questions of complainant; advise of availability of meeting adjournments if required; provide opportunity for complainant to add anything relevant at end of the meeting.
- Conclusion – re-iterate need for confidentiality; confirm that meeting note will be issued to complainant (outline this process); re-iterate likely timescale for completion of investigation.

B - Points which the lead investigating officer should cover with the PERSON THE COMPLAINT IS AGAINST at the investigation meeting

Follow similar headings to **A** above adjusting as appropriate.

- Lead officer should ask the person the complaint is against to answer questions first and during the meeting the lead officer will explain in more detail what the complaint is, ensuring that they are given the opportunity to explain their version of events and perception of the complaint.

C - Points which the lead investigating officer should cover with WITNESSES at the investigation meeting

Follow similar headings to **A** above adjusting as appropriate.

- Confirm that the witness is not the focus of the complaint (where appropriate) but it is believed they may have some information which may assist the investigation.

Appendix 2 - Suggested format of completed report

1. **Contents Page** – summary report; copy of initial letter of complaint; statements taken as part of investigation; other relevant documents – e.g. job descriptions
2. **Chronology** (if required. Otherwise this should be outlined within the summary report.)
3. **Summary Report**
 - **Introduction** - confirming what the investigating officers did, the nature of the complaint, chronology (if not given separately) and what's going to be covered in report. Dates of correspondence, statements taken and reference to where this is in the report
 - **Background** - scene-setting information.
 - **Findings** – outline what was established, what was / was not in dispute / whether there was any corroborating evidence etc.
4. **Conclusions and recommendations**

Conclusions must be based on findings and **reasons for conclusions must be given**. Particular reference should be made to the Council's Dignity at Work Policy.

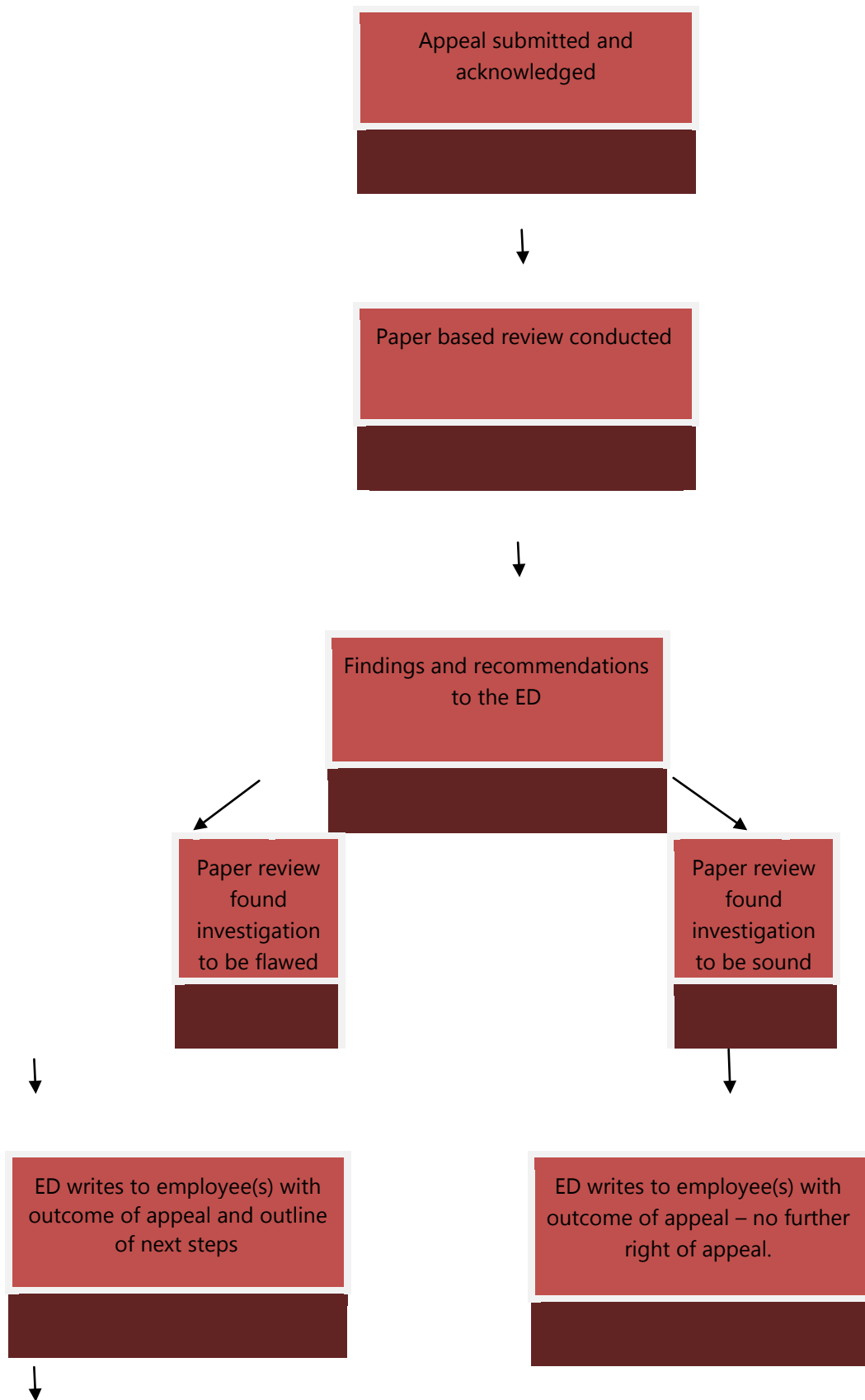
The investigating officers should go no further than suggesting that there may be a potential disciplinary case to answer. It is not their decision on whether disciplinary proceedings should follow.

Conclusions could cover matters such as whether the investigating officers:-

- a) agree / partly agree / do not agree that the complainant was bullied / harassed / victimised and on what basis.
- b) conclude in whole or in part that this **may** have happened but that there is insufficient / no corroborating evidence to allow a conclusion.
- c) consider that the conduct / performance / training of the person(s) the complaint is against should be addressed and in what ways.
- d) consider that the conduct / performance / training of the complainant should be addressed and in what ways.
- e) have comment on the implications of the complainant and the person the complaint is against continuing to work together.

f) have comment on a need to address the situation in the wider team e.g. debrief / further training.

Appendix 3 – Overview of Appeals Process



Supplementary investigation
takes place (addressing all flaws
substantiated in appeal)



Outcome of investigation to
ED/Senior Officer



Employee(s) notified of
outcome – no further right of
appeal