

Document History:

Issue level	Page No(s)	Date	Brief details of amendment(s) to Policy
V1	03/18		Whole document transferred from AS and amended for Aspens. Ratified by previous Board

1. Purpose and scope

Aspens has a zero tolerance approach to bullying and harassment. Our aim is to provide an environment where everyone is treated with dignity and respect, and can work and receive our services without fear of bullying or harassment. It aims to ensure that individuals we employ and support (individuals) feel confident to bring complaints, or to challenge behaviour, without fear of ridicule or reprisal. This policy includes procedures and processes for staff, individuals, their family and carers to follow if they feel they are being subjected to any form of bullying or harassment, and action to be taken by the organisation in response.

Bullying and harassment can cause lasting damage to those individually affected and to the Organisation as a whole. We expect staff to behave with dignity and respect towards one another, and to address and eliminate any behaviour which is contrary to this. We ensure that we work with individuals, their family/carers and friends to establish a code of behaviour within our services where bullying as a behaviour is understood but not tolerated. We will treat seriously any allegation of harassment or bullying, particularly those relating to age, gender, pregnancy, marital status, religion or belief, sexual orientation, gender reassignment, disability or race as these are forms of discrimination and unlawful. All allegations of bullying or harassment will be viewed as grounds for potential disciplinary action for staff and persistent or gross harassment or bullying may lead to dismissal.

This Policy applies to employees, agency workers, temporary workers, volunteers, contractors, individuals, their family/carers and Care Network. It covers complaints of bullying or harassment committed by staff employed by the Organisation and complaints about the conduct of third parties, i.e. people not employed by Aspens but working in some capacity alongside or with staff or otherwise at our services. It covers behaviours by individuals and the support available in raising a complaint and dealing with the situation.

2. Policy statement

Aspens will address bullying or harassment behaviour whether it occurs during the course of employment, on or off work premises, including at work social events (whether organised by the Organisation or not) or at formal or informal events involving our staff, service users or other work-related contacts.

Within our services we will address bullying or harassment behaviour whether it is reported directly from the individuals or their Care Network, if it is observational behaviour made by staff, if it is between individuals, individuals and staff member, individuals and their family/carer or any other relational dynamic present when the individual is within our services.

It is an individual's right to raise a complaint and have it heard without fear of reprisal. Any action that breaches this fundamental principle will be viewed as serious or gross misconduct since it may be viewed as unlawful under the Employment Rights Act as well as anti-discrimination legislation.

The Policy is available to all employees. Any questions about the Policy should be directed to your Manager or the HR department.

3. Action to support and inform staff, individuals, family/carer and their Care Network on harassment issues

The organisation will:

- treat sensitively any complaints of behaviour which is causing distress;
- respect the need for confidentiality as far as possible in order to ensure a fair investigation;
- liaise with external providers who could provide positive support outside our services i.e. schools, other voluntary/community organisations/advocates
- liaise and signpost to advocacy services if required
- provide awareness training on bullying and harassment issues;
- make staff aware of this policy and their responsibilities at induction and generally;
- monitor and record reported instances of harassment or bullying and identify trends so that corrective action can be taken;
- conduct Exit Interviews with departing employees, wherever practicable with a manager other than the departing employee's line manager.
- Raise awareness of bullying and harassment and the negative impact on individuals, supporting national or local campaigns.

4. Responsibilities

Every member of staff, individuals, family/carer has a duty to:

- take responsibility for their own behaviour and change it if necessary, as harassment or bullying is not acceptable. This means not ignoring a complaint from anyone who claims they find your behaviour harassing or bullying, even if such behaviour would not have been offensive to you and you did not intend to offend anyone. Failure to take complaints seriously or to change behaviour may lead to disciplinary action;
- speak out if they witness or are aware of bullying, vindictiveness, verbal or physical aggression – and not assume that it is someone else's responsibility;
- question their own fears, prejudices and assumptions;
- familiarise themselves with the responsibilities placed on them by this policy.

Certain individuals have additional responsibilities under this policy, as set out below:

- the Trustees are responsible for developing and reviewing this policy
- the Chief Executive Officer has overall responsibility for overseeing operation of this policy;
- the Head of Human Resources monitors implementation of the procedures, advises the Senior Management Team (SMT) on action needed, reviews the policy and procedures prior to consideration by Trustees, and reports to the CEO/Trustees.
- the SMT and Head of Human Resources are responsible, in line with their specific roles, for recording complaints of harassment or bullying raised by staff/others, for reviewing outcomes and trends, and for keeping a watching brief on anybody who has been a victim of harassment or bullying or who may be vulnerable to it, so that they are not exposed to inappropriate treatment;
- Line Managers should ensure that they and their staff understand the policy and deal swiftly with any instances of perceived or reported harassment or bullying in line with the procedures below;
- Where appropriate, service providers/contractors working on the premises must ensure that they and their staff understand the policy and their responsibilities.

5. What is bullying?

Bullying is persistent offensive, abusive, intimidating, malicious or insulting behaviour, abuse of power, or unfair treatment that is meant to or does undermine, threaten and/or humiliate the recipient. The effect is usually to undermine the recipient, their self-confidence, reputation and ability to perform.

Bullying tends to be an accumulation of many small incidents over a period of time. Each incident of bullying tends to be trivial and, on its own and out of context, may not constitute an offence or grounds for disciplinary or grievance action.

Examples of bullying behaviour include but are not limited to: -

- belittling the recipient's opinion, humiliating them publicly or privately;
- name calling, insults, unreciprocated or unwanted teasing;
- preventing access to opportunities such as training, withholding information, exclusion from meetings or activities;
- undue pressure to complete a task, impossible deadlines, unnecessary disruptions, or changing goals without reason;
- failure to give credit where it is due, allocating meaningless tasks, removing responsibility or taking work away completely or replacing it with menial tasks
- singling out or treating an individual less favourably without justification;
- gossiping about another individual with intent to damage their reputation;
- frequent fault-finding of a trivial nature;
- persistently refusing to acknowledge an individual's contributions and achievements;
- insulting someone on the ground of a **protected characteristic**, whether or not they have that characteristic, *for example* you're so gay/autistic/Jewish;
- humiliating, shouting at or threatening an individual;
- increasing responsibility but removing authority;
- disciplining an individual for trivial or fabricated reasons, without proper investigation.

Sometimes several individuals may gang up to undermine someone through rumour, innuendo, intimidation, humiliation, discrediting, and isolation. Fear of becoming a target may motivate some to side with the bully, to stay out of anything that occurs in the workplace or service, or copy bullying behaviour because it is seen as a way of surviving or progressing.

6. What is harassment?

Harassment is unwanted conduct that violates an individual's dignity, or that creates an intimidating, hostile, degrading, humiliating or offensive environment for the recipient. It may be related to age, sex, disability, religion, sexual orientation, nationality or any personal characteristic of the individual, and may be persistent or an isolated incident. The key issue is that the actions or comments are viewed as demeaning and unacceptable by the recipient.

Examples of harassment include:

- spreading malicious rumours, or insulting someone by word or behaviour;
- copying memos that are critical about someone to others who do not need to know;
- ridiculing or demeaning someone, picking on them or setting them up to fail;
- exclusion or victimisation;
- unfair treatment;
- misuse of power or position;
- unwelcome sexual advances, touching, standing too close, display of offensive materials, asking for sexual favours;

- making threats or comments about personal circumstances that may cause anxiety without foundation;
- deliberately undermining an individual by overloading and constant criticism;
- intentionally blocking promotion or training opportunities.

As with bullying, harassment is not necessarily face to face, it may occur through written communications, visual images, email, phone, and other.

7. What is the difference between bullying and harassment?

Both bullying and harassment cover physical, verbal and non-verbal conduct. They may involve inappropriate physical contact, actions (or omissions), behaviour, comments or emails. The difference is that harassment may involve a single incident or persistent behaviour that extends over a period of time, whereas bullying is only the latter. Both can occur even if someone did not mean to cause offence.

If the behaviour is based on the recipient's age, gender, pregnancy, marital status, religion or belief, sexual orientation, gender reassignment, disability or race (the **protected characteristics**), it is likely to be considered harassment and therefore likely to be unlawful under the Equality Act.

8. Effect of bullying and harassment on health

Bullying and harassment can cause some or all of the symptoms below:

- shattered self-confidence or low self-esteem or depression;
- obsession, not being able to stop thinking about the experience in all its detail;
- hyper-vigilance (feels like, but is not, paranoia), being constantly on edge;
- uncharacteristic hypersensitivity, isolation, withdrawal, irritability or angry outbursts;
- tearfulness, sweating, shaking, palpitations, panic attacks;
- bad or intermittently-functioning memory or general forgetfulness; poor concentration;
- worsening irritable bowel syndrome or skin problems such as eczema or psoriasis;
- constant fatigue, sleeplessness, waking early or more tired than when you went to bed;
- headaches and migraines;
- aches and pains in the joints and muscles with no obvious cause;
- frequent illness such as viral infections.
- Exacerbated instances of challenging behaviour.

9. Raising complaints of bullying or harassment

Bullying and harassment are different to other forms of complaint and so the grievance procedure is unsuitable for raising complaints about it. Incidents of bullying or harassment may be complex in nature. Common responses to complaints of bullying or harassment can make the investigation process more complicated so special considerations for managers conducting investigations are attached in the Appendix. The aim of this procedure is to stop the undesirable conduct and prevent a recurrence.

It is in the best interests of all the parties that a complaint of bullying or harassment is reported as promptly as possible so that the facts of the matter can be accurately established, normally within four weeks of the last alleged incident. However, the nature of bullying or harassment may mean that it can take a number of incidents before the individual affected is able to realise or identify what is happening.

Whether you choose to address any allegation of bullying formally or informally, you may wish to keep a record of all incidents, how they made you feel, how you changed as a result, any action you have taken to try and stop the bullying, and any witnesses.

10. Informal procedure

If you believe that you, or others, have been bullied and you wish to address the matter informally, you should firstly speak to the manager, a member of staff you trust who can take the complaint forward on your behalf, or a member of the HR team. They will discuss the situation with you. Without a formal investigation, no conclusion will be made as to whether or not the bullying has taken place, but the manager or HR may be able to advise on other steps you could take, with or without their help, before you get to the stage of a formal complaint. Options at the informal stage include:

- Approach the person directly

If you feel able to, speak to the person causing the problem directly and explain the behaviour that you find upsetting, and to ask them to stop. This meeting could be one you arrange and/or attend by yourself, or someone else could go with you, eg a trusted staff member.

- Approach the person indirectly

If you feel unable to speak to them, you could:-

- Explain in writing to the person(s) causing the problem, the behaviour you are concerned about and its effect on you; or
- Ask a friend or colleague to speak to the person(s) on your behalf; or
- Ask that an informal approach be made to the person(s) causing the offence by your manager or HR.

Formal procedure

The formal procedure may be more appropriate in instances of serious complaint or where an attempt at informal resolution has not been successful.

Raising the complaint

- If you believe that you have been subjected to bullying, you should put your complaint in writing to the Manager. If the matter concerns the Manager or you do not feel comfortable raising a complaint of this nature with them, you should put your complaint in writing to the Head of HR or another member of SMT. If you prefer, however, you may see the Manager, HR Manager or member of SMT in person to explain the nature of the complaint and s/he will then make a brief record of the issues and ask you to sign it as a correct record of your formal complaint.
- Your complaint should include all relevant details, including full details of the alleged bullying, the identity of the person(s) concerned, any documentary evidence, details of any witnesses and any action that has been taken to date.
- Note: If, at any point, you decide to withdraw the complaint you must inform the manager in writing.

Investigating your complaint

The manager or the HR Manager will take action to:

- Raise the matter formally and in person with the person whose behaviour is causing the problem. This will be done sensitively bearing in mind the need to protect both your rights as the complainant and those of the person about whom you are complaining – both parties are entitled to a full and fair opportunity to put their version of events.

- Ensure that the issue is investigated appropriately, confidentially and as soon as possible. Appendix A gives guidelines on how investigations may normally be conducted.
- Ensure that where possible someone without prior involvement will investigate your complaint.
- Ensure that once an investigation is complete, a report on the findings and recommendations is prepared and that the Manager, HR Manager has been consulted before any further meeting with you or the person whose behaviour is at issue.
- Ensure that you, and the person against whom the complaint has been made are told in writing:
 - Whether the complaint has been substantiated;
 - Whether the complaint is to be investigated further;
 - What action will be taken as a result of the complaint, by whom and in what timeframe (though as said above, if disciplinary action against the alleged bully or harasser is one of the actions to be taken this would be confidential and thus not disclosed to you);
 - That you may appeal.
- Monitor the situation for appropriate period of time afterwards, to ensure that things have been resolved or that further problems are addressed.

Appeals

Anybody who is dissatisfied with the outcome of the formal procedure may appeal in writing within 5 working days of being advised of the outcome.

Staff should notify their manager or HR in writing within this timescale, setting out the grounds of your appeal.

Wherever possible a manager not previously involved in your complaint will arrange an appeal hearing. However, the small size and flat management structure of the Organisation, as well as considerations of confidentiality, may mean that this is not always possible to arrange.

You are entitled to be accompanied by a trusted member of staff, friend, advocate, work colleague or trade union representative.

At the appeal hearing, you will have the opportunity to discuss the grounds of your appeal.

The person hearing your appeal may investigate the matter further, may overturn the conclusion and require it to be reinvestigated, may reach an alternative conclusion if appropriate, or may uphold the original outcome.

You will be notified of the outcome of the appeal within 5 working days of the appeal meeting or as soon as reasonably practicable. If the outcome changes, as far as possible, you will be told of any action that the Organisation intends to take. However, if this involves disciplinary action against the alleged bully or harasser, you would not normally be involved in this process, as any disciplinary proceedings involving another member of staff are confidential to that member of staff.

This is the final stage of the formal procedure.

Appendix A

Guidelines for investigating alleged bullying and harassment

If an employee raises allegations of bullying or harassment, his/her manager or the person to whom the complaint has been addressed, should normally contact the Human Resources (HR) team for advice on who should, and how to, carry out an investigation. If it is not possible for any reason to contact HR, this document sets out the broad issues to consider when an investigation is needed.

An investigation needs to be focused and comprehensive and need to take place as soon as possible. Its aim is to take a reasonably considered view as to the likely facts and whether there is a case to answer. Its aim is to find out as much as possible about what happened. Investigations should comply as far as possible with the rules of Natural Justice, which state as a minimum, that an individual should be told of the nature of their alleged misconduct, of their right to be accompanied at the investigation by a colleague or trade union representative, and given a chance to state their case before any decision is made.

Who should investigate?

Careful thought is needed when deciding on who should conduct the investigation. It may be the immediate manager of the person who has made allegations of bullying or harassment but s/he may not always be the best person. If in doubt, contact Human Resources (HR) for advice – HR may itself be best placed to investigate impartially. In any case of alleged sexual harassment, explore whether a man or a woman would be most appropriate to investigate. On rare occasions it may be necessary to appoint an independent person either within or outside the organisation, to do so. For example in a case of alleged racial harassment, an external person or organisation with experience in this field may be best placed to investigate. Any decision to appoint an independent investigator should be taken in consultation with Human Resources and/or the Chief Executive Officer.

The person conducting preliminary enquiries should collect relevant facts so that s/he can make a decision as to whether the allegations or suspicions have any substance and what action is appropriate.

Issues to be aware of when investigating alleged bullying and harassment

Unlike other forms of grievance, bullying or harassment may not be easy to establish on a simple balance of probabilities. This is so particularly in relation to harassment, which is '*any unwanted behaviour that a person finds intimidating, upsetting, embarrassing, humiliating or offensive*'. It is the individual's perception that is key in deciding what behaviour is acceptable to them and what is offensive or unwelcome. Individuals will have **different perceptions** about this. It is not, therefore, the *intention of the perpetrator* that is key in deciding whether harassment has occurred but *whether the behaviour is unacceptable to the recipient*.

If a culture of bullying or harassment has developed, not only the complainant but any potential witnesses may fear reprisals. The alleged bully or harasser may have many supportive witnesses, and so getting under the skin of the problem may not be straightforward unless there is sufficient trust in the investigator and the process.

Evidence against a particular individual(s) may be vague or distorted. It may be relevant to consider individual motivations both of the person bringing the complaint and those against whom the complaint is made, respective lengths of employment, history of employment including internal transfers, and whether there has been opportunity or reason for either to exert undue influence by reason of their position and/or length of service.

Identifying details both of allegations and any counter allegations, with specific dates and times, and any contemporaneous notes or records, may help clarify genuine complaints.

Anyone conducting an investigation should be aware of the following:

- It is possible for a complaint to be faked, or for a complainant to be mistaken. It is also possible that they may be right. Take care not to presume anything and or to make decisions based on rumours.
- The fact that a complaint has been made needs to be taken seriously and you should aim to get to the bottom of it as promptly as possible.
- The complainant may be clear about what has happened but equally they may have just started to consider historic actions in another light, and so it may take time for all their concerns to surface.
- Even raising the issues may have taken much courage and emotional toll for many reasons including fear of reprisals or of not being believed or taken seriously.
- Careful questioning, sensitivity and patience are key for anyone conducting preliminary enquiries. The complainant may need reassurance that there will be no repercussions for raising a complaint, even if it is ultimately not upheld.
- some common responses to allegations of bullying and harassment are:
 - some people will be horrified if told that they had unintentionally or unjustifiably upset another person and will do what they can to make sure it isn't repeated. Others may:
 - deny any allegation made, avoid discussion of the matter, refuse to give a straight answer, deliberately miss the point or create distractions and diversions;
 - trivialise the concern(s), insist on not dwelling on the past but on focusing on the future;
 - retaliate by criticising the complainant or making counter-allegations;
 - claim they are victims by being tearful, expressing indignation, devastation or offence at allegations, and trying to make others feel sorry for them;

Such reactions can make it more difficult to get to the truth and may be designed to divert attention away from the allegations.

If it is not possible to conclude satisfactorily whether bullying has taken place, the fact that an individual or individuals has raised anything in the first place may indicate that that particular staff team need coaching, mentoring or other support. Managers may face allegations of bullying or harassment in response to legitimate performance management actions. Alternatively, a member or members of staff may be feared so much that no amount of investigation will get to the truth of the matter. In such circumstances, monitoring over an extended period of time may highlight higher than average sickness or turnover or other signs of bullying or harassment.

Before the Investigatory process begins

An investigator should:

- Identify the key issues/incidents to be investigated;
- Identify the people to be interviewed;

- Check whether the employee/s involved have been made aware of the anti-bullying and harassment policy and Staff Code of Conduct;
- Decide whether, to relieve the stress and pressure on one or both parties or to ensure the smooth progress of the investigation, a person under investigation should be redeployed elsewhere in the organisation or removed during the investigation. There may be compelling organisational reasons for not redeploying an individual and each case must be judged on its own merits. Other means of ensuring both parties are able to work effectively without undue stress should be explored in these circumstances.
- If an employee is suspended, the suspension should be on full pay;
- establish the following factors relating to any employee:
 - start date and length of service/study;
 - current position and time in that position;
 - any live disciplinary warnings;
- Tell the person against whom a complaint has been made, of the nature of the complaint and give them a copy of the anti-bullying and harassment policy;
- If a search of an individual's desk, cupboard, computer etc is needed, obtain their consent to do this and ensure that the search is done in their presence and that of a witness.
- Decide the order of people to be interviewed. Normally this will be:
 - the person who raised the issue: and then
 - the person alleged to have acted incorrectly
 - anybody named by the employee/any other person as relevant;
- Arrange a suitable place where meetings can be held in private, inform those to be interviewed of time and place, and arrange for someone to take concise notes of the meeting/s;
- Ensure that the meeting is described as an **"investigatory interview"** and that anyone asked to contribute to it is told they are expected to maintain confidentiality;
- Ensure interviewees know they may be accompanied by a colleague or trade union representative;
- Take into account and plan to accommodate any difficulties in understanding or answering questions which may arise for an interviewee with a disability.

Conduct of Investigatory Interviews

Investigators should:

- Introduce the meeting as an "investigatory interview";
- Introduce all people present;
- Defer an interview if it is apparent that the interviewee is incapacitated due to illness or other reason and note of the reason for deferment;
- Clarify that anyone accompanying an interviewee may not answer questions on the latter's behalf, though they may offer advice on whether a question should be answered and on whether the questioning is fair;
- Clarify that the interviewee must not discuss the issues with anyone other than the union representative or work colleague accompanying them;
- Explain that after the investigatory interview s/he will be asked to state whether or not they agree to their statement being disclosed if the investigator feels that in all the circumstances it should be disclosed either in its entirety or in an anonymised or reduced version (*n.b. it may only be possible to obtain witness statements if witnesses feel assured of confidentiality, however, they should know that if the matter ever reaches an employment tribunal, there may come a time when the tribunal makes an order for disclosure of his/her statement in its entirety or an anonymised or reduced version of it depending on the circumstances. This is because any employee against whom a grievance, disciplinary or harassment claim has been raised may have a right to know the full case against him or her*).
- Ask clear, focused and relevant questions – preferably start with open questions. Questions should never be leading, accusatory or intimidating. All questions should be asked one at a time and only after the interviewee has finished replying to the previous one.
- Ask interviewees to comment on facts as they appear rather than speculate or theorise;
- Make an effort to understand every reply and seek clarification if necessary;

- After all questions and replies have been given, either ask the interviewee to read the notes of the meeting there and then, or to do so after the meeting, amend them if necessary, and to agree and sign that they are accurate. If there is a difference of opinion as to what was said, the notes should record this and be signed by both parties.
- **The investigator should record whether or not the interviewee agrees that his/her statement may be disclosed to all parties at later stages of the procedure.**

After the investigatory interview

Investigators should:

- Decide whether, after all interviewees have been seen, the investigation is complete and if not, arrange for further interviews or research into facts to be undertaken;
- Decide, if the investigation is complete, whether there is a case to answer ;
- Prepare a short focused report (probably no more than two sides of A4) and attach it to a copy of the individual written statements for the person responsible for action on any recommendations made, stating:
 - the dates of the investigation
 - the names of everyone interviewed
 - the key issues investigated
 - how the investigation was conducted
 - the evidence and information obtained and his/her evaluation as to likely facts
 - his/her view on whether there is a case to answer and any action, disciplinary or otherwise, which is recommended.
- If evidence indicates that a criminal offence may have been committed, give urgent consideration to the need to refer the matter to the Police
- Be prepared to explain and account for his/her investigation at any subsequent Grievance, disciplinary or other hearing, or employment tribunal
- Send the report to the person dealing with the issue/making decisions of what actions should be taken, and send the report to Human Resources also as they need to ensure fairness and consistency in terms of actions taken or sanctions applied.

Normally within 10 days of the completion of the investigation, the manager dealing with the issue should:

- **consider the investigator's report and liaise with Human Resources**
- **decide what action/s is or are appropriate in the light of it (see paragraphs below)**
- **use his/her judgement to decide whether the investigation report and/or witness statements should be disclosed, to whom, in what format, and when (nb may need to refer to Information Commissioner guidelines to help decide whether a worker's right to know what information is held about her/him and its source outweigh the right to privacy of a third party who may be identified through releasing the information).**
- **write to the complainant and the alleged bully or harasser with outcomes of the investigation (taking care not to disclose information which should be kept confidential)**
- **consider, in recognition that investigation procedures can be difficult and distressing, asking both parties if they would like a further meeting outside the procedure which may include discussion of key issues/feelings/action points arising for them from the process, or support or information needed on employment rights or other issues.**

Actions following an investigation

After an investigation, if there is sufficient evidence in support of the complainant, immediate and appropriate actions will be taken to stop the bullying and harassment. Such actions may include:

- action and support to stop the behaviour being complained about
- Providing coaching or counselling
- Disciplinary action – may be written warning, or suspension or transfer (though need to ensure latter two don't breach their contract if the employee were to suffer a detriment as a result)

- Finding ways to highlight behaviour expected of staff
- Addressing issues directly with contractors or third parties as appropriate – in so doing, consider the nature of the offence and any contractual agreements. Actions could include prominent notices setting out acceptable and unacceptable behaviour, speaking to the person about their behaviour or in serious cases terminating a contract or banning them from the premises
- Considering how best to manage ongoing working relationships between complainant and alleged bully/harasser – mediation, counselling, changing work location or line manager – to be discussed and agreed.

If an investigation concludes that bullying or harassment has taken place, this does not necessarily mean that the individual(s) concerned should face immediate disciplinary action. Whilst all are responsible for their own actions, people may be unaware of the effect of their actions or manner on those with whom they work. Too great a workload, or lack of support, may cause otherwise considerate individuals to react negatively with their colleagues. Stress may in turn result in shouting, being rude or abrupt or otherwise failing to communicate appropriately. Stress might also cause an individual to keep control of tasks that might otherwise be delegated, or delegate without relinquishing authority for the task. Support should be considered for the individual(s) concerned, including help to understand the impact of their actions, and to review their workload. If the individual refuses to accept responsibility or fails to change the inappropriate conduct, then disciplinary action would be necessary and appropriate.

If the complaint is not upheld, for example where evidence is inconclusive, consideration should still be given to how to manage the ongoing working relationship between the complainant and the alleged bully or harasser. In either case it may be appropriate for the Organisation to arrange some form of mediation and/or counselling, or to change the duties, working location or reporting lines of one or both parties.