

Building respect

**Our approach
our options**

**This is how we manage issues with
inappropriate behaviour.**

We all deserve a workplace where we are respected and supported; where positive behaviours are encouraged, modelled and appreciated; where inappropriate behaviour (including bullying) is addressed and where staff are supported to challenge negative behaviour safely.



Building Respect - resources to help you.

If you've opened up this guide it probably means you want to be a part of developing a positive culture, or you may want to address some inappropriate behaviour you have seen or been involved in.

This guide is part of a suite of resources, for all staff, to help us create a positive culture and address inappropriate behavior between colleagues. Whether you are an individual experiencing inappropriate

behaviour, a witness, the manager, or a complaint has been made against you, these guides contain practical tools to help you decide what to do next. We want you to find the information or help that you need, so that we can build a positive culture and resolve issues quickly and respectfully.

The full suite of resources listed here is also available on the University website.

Our approach our options

Clear and pragmatic processes.

Quick guides to resolving inappropriate behaviour

Explore our options if you are experiencing or witnessing inappropriate behaviour, a complaint has been made against you or if you are a manager.

Step 1. Creating a positive culture in your team

Practical discussions and tools to build your values-led team culture

Step 2. Reflect

Guides to help you think about what happened, and what to do

Step 3. Direct feedback

Respectfully giving and receiving feedback between colleagues

Step 4. Supported resolution

Facilitated approach to reviewing, resolving and moving forward

Step 5. Formal process

Formal approach to resolving complaints about behaviour

An overview of our approach

This is our approach to creating and maintaining a positive culture, and the steps you can take to resolve issues with inappropriate behaviour. For each step there is a guide with more information and advice.

STEP 1. Proactively creating a positive team culture

It is everyone's responsibility as individual team members to create a culture where people can thrive, to think about the impact of behaviour on others and to speak up when necessary. The guide for STEP 1 will support you to create and sustain a positive culture in your team.

STEP 2. Reflect on the behaviour

In a high-pressure environment people may still display or experience behaviours that are inappropriate. The guide for STEP 2 will help you to be clear and really specific about the behaviour you are experiencing. This will make it easier to discuss and resolve. The guide includes a behaviours diary to help you log your experiences. It also includes a detailed list of behaviours to help you decide if something is appropriate, or a one-off inappropriate incident or if it is bullying.

STEP 3. Direct feedback

As a learning organisation, with a culture of personal responsibility and accountability, we encourage giving feedback to the person or people involved, where appropriate. We use the BUILD model to give feedback. The STEP 3 guide gives an introduction to using BUILD, which is about giving critical feedback without judgement or criticism. In many cases, just letting the person know their behaviour is inappropriate will result in a change.

STEP 4. Supported resolution

Our approach to supported resolution is informal, designed to resolve concerns through dialogue and without a formal complaint. The informal process isn't disciplinary and doesn't disadvantage anyone involved.

STEP 5. Formal process

Our aim is to resolve instances of bullying or inappropriate behaviour informally, wherever possible and appropriate. Our formal policy is for serious issues or when informal approaches haven't worked.

At any point, anyone involved in inappropriate behaviour can talk with someone on the contact list at the end of this guide.

What approach should you take?

Our aim is to support people to discuss and de-escalate situations wherever possible. Use this flowchart to work through your options.

1. Proactively creating a positive team culture

You have a **PERSONAL** responsibility to role model our values, to live up to our behaviour standards, and to reflect and consider changing if you are given feedback about inappropriate behaviour.

Each **TEAM** is encouraged to discuss the values-led behaviours they want to see from each other and use the resources in "Creating a positive culture" to discuss their impact.

We view giving and receiving well-intended **FEEDBACK** as **constructive**. If you experience or witness inappropriate behaviour, your first option is to use **BUILD** to give feedback and discuss changes to improve the situation.



This behaviour feels inappropriate

2. Reflect on the behaviour

Use the 'Reflect' guide to think about what's happening. Talk with an impartial person that you trust or refer to the contact list.

Are you clear about the specific behaviour you're experiencing?
The examples on pages 8/9 in the 'Reflect' guide can help you do this

Review again

If you are still not quite sure what's happening, keep a behaviour diary (p3)

It is possible that while you don't like what's happening, it is appropriate. Use 'reflect cycle' on p10

You decide it is...

YES

NO

Check severity. Is it:

- ☐ Harmful ☐ Repeated
- ☐ Physical

Bullying or harassment

One-off inappropriate behaviour

Appropriate behaviour

You may still want to give them feedback

3. Direct feedback

OR

You give feedback

Ask someone else

OR

Use BUILD planning guide (p10). Practice with a trusted person.

Give BUILD feedback.

Give them time to reflect

Has their behaviour changed?

NO

YES

4. Supported resolution

Meet with someone from the contact list. Discuss your notes / views.

We can arrange a facilitated meeting with all parties to discuss perspectives and options.

Did the discussion resolve the situation?

YES

NO

Continue to observe behaviour and seek constructive resolution

Continue your discussions to mutually agree future ways of working together

5. Formal process

Submit written complaint with 'instance of inappropriate behaviour' form

Allegations will be managed in accordance with the Ethical Behaviour Policy.

Steps in our approach

The following pages summarise the five steps in the Building Respect approach. You can find more information on the University website in detailed guides for each step.

Step 1. Pro-actively creating a positive team culture

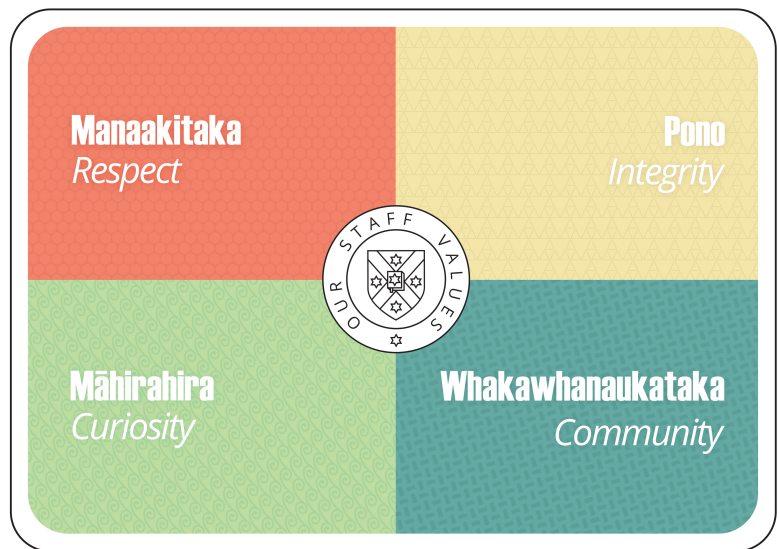
It is up to everyone who works in our organisation to build a positive culture, and Building Respect offers a range of resources to support you as individuals and teams to do that.

Our values

When we put values at the heart of all we do, it improves teamwork, experience and outcomes.

We have heard from over 3,500 staff and students across our University, inspiring us to develop values and behaviours.

These underpin and help create a positive, inclusive culture that supports people to be more effective at work and enhances staff wellbeing.



The guide to step 1 in this process called **‘Step 1. Creating a positive culture’** can be used by a manager or anyone else in the team. It provides a range of practical discussions you can have in your team to:

- Understand what our values mean to you and how you can apply it in day-to-day work as a team
- Create a positive culture to build engagement and performance
- Identify behaviours you do and don’t want to see in your team, making it easier to speak up and resolve issues
- Agree on how you will address concerns when they arise
- Understand the evidenced impact of incivility, rudeness and bullying on colleagues
- See and empathise with different people’s perspectives
- Take practical actions to keep improving your team’s culture

This approach for inappropriate behaviour aims to find the most respectful way to de-escalate and resolve each situation, only moving to the formal process where it is genuinely necessary.

Step 2. Reflecting on the situation

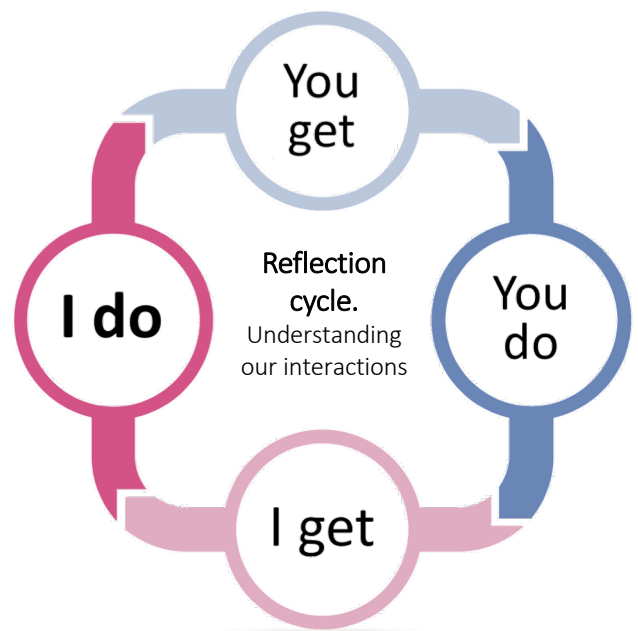
Using words like 'inappropriate', 'bullying' or 'harassment' can raise the temperature of a situation, making them more difficult to resolve. This section contains a guide that will help you to describe the behaviour you have experienced, witnessed or been accused of.

It starts with a behaviours diary to help you recall and reflect on what happened. This will make it easier to discuss, feedback and resolve the situation.

A first step you might like to take is to reflect on the situation and the interaction using the 'give / get' coaching model which can be found in the 'Step 2. Reflect' guide.

This will help you to work through the other person's behavior, your role in the interaction and its impact on you. What can you do to influence the situation in ways that work for everyone involved?

Studies have shown that by stepping into other people's shoes for a moment and imagining what might have been going on for them, we boost empathy and understanding, which can also help to resolve conflict.



Step 3. Direct Feedback

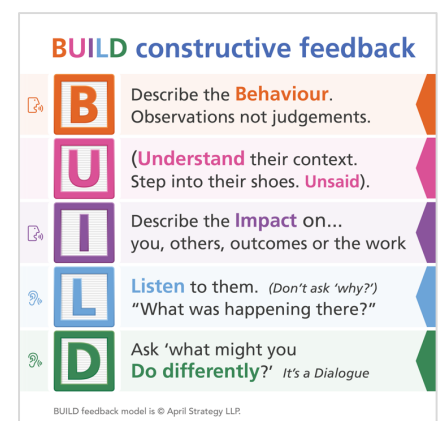
We should view feedback as an opportunity to reflect and improve. This is central to this way of resolving issues, learning and improving. Giving and receiving feedback is a core skill for everyone.

Use the BUILD model to give feedback to each other. This section outlines BUILD, with an option to practice using it. It also includes a template to prepare your BUILD feedback, as well as some behaviour scenarios to reflect and inform your approach.

If you are in a situation where you see or experience inappropriate behaviour, in the first instance, you should try to give the person constructive feedback, as this can often help resolve the situation before it escalates.

Or you may ask a trusted and impartial third party to talk to the person displaying the inappropriate behaviour. If you don't talk to the person straight away, keep a record of the conversation details. Use BUILD as a constructive feedback model and if you maintain a positive approach to discussions you are more likely to be heard.

BUILD is our way of giving feedback



Step 4. Supported resolution

An informal approach is designed to resolve concerns through dialogue and without a formal complaint. The informal process isn't disciplinary and doesn't disadvantage anyone involved.

The aim of the informal process is to stop the inappropriate behaviour and restore a productive working relationship, where possible.

Here are some informal options you could consider:

- Reporting it to your manager and asking for nothing further to happen
- Asking your line manager or a trusted, impartial third party to talk to the person whose behaviour is inappropriate:
- To give BUILD feedback, which always includes hearing their perspective
 - To agree actions, changes or next steps
 - Then to tell you what has been agreed
- Seeking advice and support from someone from the contact list at the end of this guide
- Asking your line manager to organise a facilitated discussion or early mediation. A facilitated discussion may take place at any stage, including early on in the situation. Both parties must agree to participate. This could be facilitated by the University's Manager of Facilitation and Mediation, your manager or another leader or HR. The discussion takes place in a safe and informal environment where everyone works together to reach agreement on a constructive way forward.

If you are leading a supported resolution approach here are some steps for you to consider to get the most out of the process.

1. **Get the facts.**

- > Get clear descriptions of the behaviour and what happened, and be able to describe it
- > Listen and gather the information in an unbiased, empathetic and respectful way
- > Understand the issues and what is needed to resolve them for the different parties involved.

2. **Define the behaviour.** Use our guides to be clear if it is inappropriate behaviour, bullying or something else.

3. **Decide on an effective course of action,** tailoring your responses to the seriousness of the issues and the people involved.

4. **Help the parties to agree** to resolve the issues.

If an employee takes an informal approach to dealing with inappropriate behaviour, it doesn't absolve the University from our duty to deal with the behaviour.

Recognising and promoting diversity

Sometimes cultural differences can lead to misunderstandings or different ideas about what behaviour is 'appropriate' such as style of communication or body language. Recognising diversity and creating an environment where people are aware of cultural differences and different communication styles can reduce misunderstandings.

Recognising diversity means understanding how people's differences can bring different strengths. An inclusive workplace creates a stronger and more focused team. Informal resolution approaches support people to value, understand and appreciate diversity.

If you need further support with this, please refer to the contact list at the end of this guide.

Overview of our formal process (Ethical Behaviour Policy)

Actions for the manager or other senior person managing this process.

Formal complaint made

After reflecting on the situation using the tools in Step 2, the person making the complaint has decided the behaviours are inappropriate and reports them.

Formal complaint received

Follow the Ethical Behaviour Policy formal process

Inform the subject of the complaint as soon as possible after a complaint has been received.

Support everyone involved and maintain privacy.

Decide if you need to take interim measures to ensure the safety and welfare of the people involved.

Where appropriate:
Investigator appointed and
investigation takes place

Commission the investigation

Terms of reference given to the investigator by the HR Director.

Investigator interviews all parties and any witnesses, and reviews any relevant documentation to determine the facts.

Investigator provides the HR Director with their report and recommendations.

Next steps

Based on the report submitted, the HR Director will consider options

- No disciplinary action
- Informal action (improvement notice)
- Disciplinary action

Reintegration and repair

Consider steps for reintegration and repair depending on the outcome.

Check in with all parties

Continue to monitor the wellbeing of all involved parties. Ensure new ways of working are in place and sustainable.

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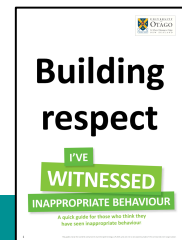
Quick guides

These four 'quick guides' can walk you through your options - however you are involved. These two pages summarise those guides, which can be found on the University website.



Experiencing
poor behaviour

A witness



Creating your positive team culture.

You are encouraged to use 'Creating a positive culture' to develop behavioural expectations and create a positive team culture. This makes it easier to role model behaviours, to increase self-awareness and speak up against inappropriate behaviour.

The behaviour may be appropriate.

If it was respectful and with the aim of helping to improve how you do things, could it be OK?

Be careful not to jump in, take sides or make judgements before you know the full story. Be supportive but fair.

There are often grey areas between what different people see as appropriate, for example the tone of voice people use, or how we are feeling more broadly when...

This is a one-off act of inappropriate behaviour.

If it's a one-off act of inappropriate behaviour, there is a good chance this can be resolved quickly. Use the guide in 'Direct feedback' to plan how you can give BUILD feedback, and practice with a trusted third party or someone from the contact list. Take a moment to step into the shoes of the person who did this. If it only happened once, then they may be under pressure themselves, and may not have meant to cause you distress. Reflect on whether you may have contributed to the situation in any way.

This is inappropriate behaviour and possibly bullying.

Review our options using the guide: **'I'm experiencing inappropriate behaviour'**

- Be specific about what happened
- Keep a diary (see 'behaviour diary')
- Give BUILD feedback or ask someone appropriate to give feedback for you
- Ask your manager or someone from contact list to help resolve the situation informally
- If things don't change, consider a formal process

Review your options in the **'Witness'** guide

- Stay calm, try not to react or take sides
- Speak up there and then using BUILD, or in a safe place later
- Listen to both sides
- Write down what you saw and heard
- Check they are OK and discuss supports if appropriate
- If it happens again you can escalate informally or formally



Allegations against you

The manager



Creating your positive team culture.

You are encouraged to talk about the effect of inappropriate behaviour using the discussion guide in 'Creating a positive culture'. Practice using the ABC of Appreciation and BUILD constructive feedback tools. Make conversations about behaviour the norm in your team.

The behaviour may be appropriate.

Your intention was in their best interests, but could you modify your approach in the future? What support do you need?

Collect accurate details. Help them to see each others' point of view. Appreciate their efforts to sort things out.

How others speak to us can make a big difference. Take a moment to step into the other person's shoes, think about your own reaction, and resolve the issue together.

This is a one-off act of inappropriate behaviour.

We all have different perspectives. You may not have meant it, but can see how it could be taken that way. Use the 'give / get' model to see their point of view, and how you might do things differently.

Support your team to work through the issue quickly and respectfully. This may also be a good opportunity for the team to discuss values-led behaviours and expectations.

This is inappropriate behaviour and possibly bullying.

Review your options in the 'I've had an allegation made against me' guide

- If someone has given you feedback they are trying to de-escalate
- Write down both sides of the story
- Reflect and consider if you could have done things differently
- Talk with someone and get support if you need it.

Review your options in the 'Manager' guide

- Be clear about your role in the resolution process
- Be clear in the definition of inappropriate behaviour and bullying
- Hear all viewpoints and don't take sides
- Ask for support at any time during the process
- What support do those involved need afterwards for repair and reintegration

Who can you turn to for help or advice?

Your manager

Your manager is there to support you to do the best job you can, meet your objectives and to foster a culture of positivity and respect. They are there to support you through these processes, help you choose what you want to do, remaining objective and not taking sides.

Manager, Facilitation and Mediation (University of Otago)

The Manager of Facilitation and Mediation's role is to help staff and students resolve interpersonal difficulties. This includes working with individuals to identify concerns and work through the best options for informal resolution, providing a sounding board for managers / leaders who are supporting staff in conflict, facilitating / mediating discussions with individuals or teams.

The Human Resources Team

Our HR team is available to hear your concerns and discuss the options available to you.

Ethical Behaviour Network

This is a diverse network of people from across the campuses who you can speak to confidentially and informally regarding inappropriate behavior or if you feel there has been a breach of the Ethical Behaviour Policy. The network members will listen to your concerns and provide initial guidance on possible next steps and resolution.

Union representative

If you feel you want to better understand all the options open to you before taking action, or if you just want to talk to someone about what's happening to get your head straight, talk to a union representative.

A trusted third party

Building your positive culture is up to everyone. This approach to creating a values-led culture and resolving behavioural issues was developed by staff from across 50 organisations. If you are struggling with someone else's behaviour or an allegation has been made against you of inappropriate behaviour (including bullying), you don't have to be alone – talk to someone you trust to check your perspective and hear theirs.

Occupational Health

Professional colleagues are available to offer you appropriate individual support.

Employee Assistance Programme (EAP)

The purpose is to provide short term brief, confidential intervention counselling. Three sessions are available free.

People's responsibilities

Everyone working at our organisation has a responsibility to help create a respectful culture and eliminate poor behaviour. Here are examples of the responsibilities of different groups of people.

Our responsibilities as an employer

- Develop a positive culture across the University community where inappropriate behaviour cannot thrive.
- Create, monitor and review policies and processes which promote our agreed values and support against inappropriate behaviour.
- Identify hazards associated with inappropriate behaviour and put controls and supports in place to prevent harm.
- Review and strengthen complaint-handling processes.
- Take complaints seriously and listen without judgement, taking an impartial and constructive approach.
- Ensure all staff, especially managers, are equipped to create a respectful workplace and are able to work with our policies and processes for resolving issues with inappropriate behaviour.
- Ensure effective, timely response to allegations.

Responsibilities of employees

- Contribute to a positive workplace by demonstrating values-led behaviours.
- Engage with and follow our approaches and policies to build a respectful workplace, and to limit and resolve issues of poor behaviour.
- Where appropriate, speak up about instances of inappropriate behaviour you may witness.
- Look for ways to resolve incidents through discussion before escalation, where possible.
- Report incidents of inappropriate behaviours against yourself or a colleague and keep a behaviours diary.
- Support colleagues who may be experiencing inappropriate behaviour in a constructive and solution-focused way.
- Escalate where appropriate.

Additional responsibilities of line managers

- Work with their teams to agree how to sustain a positive team culture, develop team guidelines and model appropriate behaviours.
- Support positive culture-change programmes.
- Role model our values and behaviours.
- Support people to give feedback respectfully and receive feedback as a chance to learn.
- Look for informal solutions (facilitated conversation) before escalating to higher levels.
- Record and investigate inappropriate behaviour fairly and in line with University policies and processes.
- Ensure feedback is given to all parties involved.
- Seek appropriate help at any stage if you need a sounding board or don't know what to do. Refer to the contact list at the end of this guide.

Responsibilities of Human Resources

- Use recruitment practices to hire the right people for the role who will demonstrate values-led behaviours.
- Raise awareness of what constitutes inappropriate behaviour (e.g. bullying).
- Establish open communication systems.
- Maintain and update policies and processes to ensure these promote our values and other behavioural expectations.
- Support managers and supervisors to meet their people management obligations.
- Have processes for both informal resolution and formal investigation, reintegration and monitoring.
- Analyse workplace information (e.g. exit interviews, incident reports) for indicators of inappropriate behaviours not being addressed.

Your notes

Behaviours diary

Date and time	Who was involved? Who else observed the interaction?	What happened? <i>behaviours, words, actions, tone</i> (as factual as possible)	What did you do? (as factual as possible)	How did you feel? What was the impact?	What may have been your contribution to the situation? (reflect on your own behaviour)

Instances of inappropriate behaviour form

This form is designed to provide an opportunity for you to record details of any behaviour in the workplace you consider inappropriate and may breach the Ethical Behaviour Policy.

Your name and department:

☐

I have worked through the 'Our approach' flowchart

☐

I, or someone else, has raised my concerns with the person (e.g. given them BUILD feedback)

Description of alleged inappropriate behaviours:

Date / time occurred:

Name of the person(s) involved and their relationship to me (e.g. manager, colleague etc.):

The behaviour concerns me because:

How does the behaviour affect me / make me feel:

The outcome I am seeking through this process is:

Signed:

Date:

If you wish to proceed further with these concerns, please take this form with you and discuss with your manager, HR, the Manager, Facilitation and Mediation or someone else from the contact list.

Date / time and name of the person you discussed this with:

- Manager:
- HR:
- Manager, Facilitation and Mediation:
- Other:

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Further support and guidance

If you feel you need more guidance on what to do next, you can visit the University website where you can download the following tools and resources:

For you

- Information about our approaches, policies and procedures
- Guidance on what is appropriate and inappropriate behaviour
- Who to speak to for support
- Step-by-step guides walking you through all of our options

For your team

- Guides and templates to help you discuss and improve team culture
- Roles and responsibilities
- Guide for managers

This is one in a series of guides to support anyone who is a target of inappropriate behaviour, has witnessed or had an allegation of such behaviour made against them, and for managers dealing with inappropriate behaviour in their teams.



Contact List

For more assistance or if you have any questions, you can get in touch with the people listed below who can advise you on informal and formal procedures, and support you throughout the process:

- [HR team](#)
human.resources@otago.ac.nz
Tel 03 479 8269
- [Employee Assistance Programme \(EAP\)](#)
- [Ethical Behaviour Network](#)
- [Manager of Facilitation and Mediation](#)
mediation@otago.ac.nz
Tel 03 479 5679
- [Occupational Health](#)
- Or contact your Union rep