

Building respect

**Step 5.
Formal process**

**When you need the support of our
formal policies and procedures**

5. Formal process - principles

When we progress formal complaints about behaviour through our Ethical Behaviour Policy, we take all allegations seriously, support everyone involved, maintain privacy and ensure the process is unbiased and fair.



Take all allegations seriously

- Act promptly.
- Set timelines and deal with reports / complaints as soon as we can after we receive them.

Clearly communicate the process

- Tell everyone involved what the process is.
- Let the people involved know if there are delays to timelines.

Support the people involved

- Anyone involved can have a support person present at interviews or meetings e.g. their Union representative or work colleague.
- Tell everyone involved what support is available to them (e.g. HR, a Union representative and EAP).

Maintain privacy (confidentiality)

- Maintain privacy for all parties involved.
- Ensure details of the matter are only known to those directly concerned (except their representative or support person).

Be unbiased and fair

- Treat the people involved fairly.
- Get someone unbiased to investigate the allegation.
- Make decisions on how to deal with the allegation based on the facts.
- Clearly tell the people involved what is going to happen (taking into account privacy).

Ensure non-victimisation

- Protect the people involved from victimisation.

Important. Please note that when a case follows a formal process (Ethical Behaviour Policy), the target of the inappropriate behaviour will not be aware of any disciplinary sanction or action taken in respect of the person who has had an allegation made against them.

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 unacceptable 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 the full facts of the case.

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.

Note to reader. This guide is intended as a resource to help us reduce bullying and other inappropriate behaviour in our organisation, and to support people to resolve these situations. It is not our formal policy, which is available separately on the University website, or on request from HR.

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