

GUIDANCE FOR STAFF WHO ARE THE SUBJECT OF A COMPLAINT

Being on the receiving end of a complaint can be an unsettling and isolating time. You may not understand why the complaint has been raised or feel it is unjustified. The thought of having to talk with someone who has complained about you may also be difficult to contemplate.

Usually, complaints that name an individual are concerned with inappropriate behaviour, which is covered in the [Dignity at Work Policy](#) (2023 ed.) This policy includes a section specifically for staff who are the subject of a complaint. This supplementary guidance has been produced to build on this particular section with **practical information** to help you **participate in the informal and formal processes** in a way that is as positive as possible.

Support is available from a number of sources

Neither you nor the person that has raised the complaint about your behaviour have to go through any resolution process alone. Throughout this guidance, there are different sources of support mentioned, which are available to:

- provide guidance on the process and assistance with the preparation for it
- help manage any stress during the process
- offer training and development resources to help change behaviour if needed.

Full details of this [Support](#) are available or you can use the links in this guidance to take you to specific information. You can speak to your line manager or the person responsible for HR in your area. You can also talk confidentially to a sympathetic colleague for more general help and support throughout the process. It is therefore important throughout the process to take time to look after yourself, seek support if you need it, and think about what you need to stay well. Please see the University [Staff Support Services](#) and [Wellbeing](#) pages for further information, advice and support.

Different perceptions around behaviour

It is difficult to hear that your behaviour is not appropriate. What may feel like reasonable behaviour to you, may not be perceived in the same way by your colleagues. To help everyone have a common understanding of what is appropriate and inappropriate behaviour in our community, the Dignity at Work Policy (2023 ed.) includes a [Code of Behaviour](#). This Code is not exhaustive but models both the positive behaviour expected of us and the behaviours we should avoid. The Policy also sets out more details about what type of behaviour constitutes bullying, harassment, discrimination, sexual misconduct and victimisation. You may find it helpful to reflect on the examples set out in the Code of Behaviour when you are preparing for a discussion with someone who has raised a complaint about you, whether on an informal or formal basis.

In our environment, we are expected to be tolerant of the views and opinions of others. These principles apply to both you and your colleague and need to be taken into account if the issue raised through any informal approach or formal grievance relates to your views, discussions, or use of content that has offended your colleague but are within the law. Maintaining a safe, welcoming and inclusive community does mean, however, that we treat one another courteously and professionally when debate and discussion of those issues are robust and challenging.

Informal Resolution

The Grievance Policy encourages staff to use an informal, collaborative approach to resolving issues around inappropriate behaviour where appropriate and possible.

There are several informal routes through which you might have been approached. For example, the colleague with the complaint may have had a quick chat with you, or you have been contacted by a third party, such as a line manager or someone with responsibility for supervising one or both of you, with a request for a meeting. Whatever the method, the person who has raised the issue has chosen an informal approach because your behaviour has affected them and they would like it to change, but also because an informal approach provides the best opportunity for your work relationship to continue positively in the future.

If you're involved in an informal process, the following points should help both of you to discuss the issue in a professional and responsible way and establish what might need to change in your behaviour.

- Before you meet, you may wish to look at the training and development resources on giving and receiving feedback and communication skills available through the [Personal and Professional Development](#) (PPD) webpages. These resources can provide advice on how to structure your thoughts and points in a constructive way.
- However you have been approached, be prepared to listen calmly and carefully and allow your colleague (or the person supporting them in the process) to express their concerns. You may find that you have unintentionally upset them or that your behaviour has been misinterpreted. Offering an apology for any unintentional upset can be a good way to acknowledge the issue and allow you both to discuss how to avoid it again in the future.
- If you are still unclear about what you may have done wrong, ask your colleague in a constructive manner for more information about and examples of the behaviour. Discussing the context of what happened can also help tease out why your behaviour may have had an impact on the other person.
- You have the right to put your side of the situation. If you believe the other person is wrong or has misunderstood your behaviour, explain clearly why you think this but avoid being confrontational in giving this feedback. Before meeting with the colleague or putting any response in writing, you could ask to speak confidentially with a [Dignity at Work Contact](#) or approach a supportive work colleague to help you

prepare what you would like to say. This can be beneficial if you want to make sure you express your view in a way that keeps the conversation productive rather than combative.

- If the nature of the conversation does start to become argumentative or problematic, either one of you may want to suggest that the discussion is continued at a later date with the support of a trained facilitator or mediator. These options require the consent of both of you to proceed but being open to this type of informal meeting can help to avoid the issue being escalated into a more formal process. If you are not familiar with facilitated conversations and mediation, there is more information available about these options on the [Mediation Service website](#).
- If, however, you feel that the issue has been successfully resolved keep a note of what was discussed and, if appropriate, agreed for your own records. If you also realise as a consequence of the conversation that you do need to adjust your behaviour, considering some training or personal development can be a positive step. Self-directed learning resources are available directly through the PPD website while options, such as coaching or more formal training, can be discussed with your line manager, your local HR team or contact, or your HR School team HR Schools team.

Mediation or facilitated discussion

You may be asked to participate in mediation or a facilitated discussion. More information about mediation and facilitated discussions can be found on the [Mediation Service](#) webpages. If you have any questions or concerns you can contact the [Mediation Service](#) to discuss them.

If you are the subject of a formal grievance

If a formal complaint has been raised against you through a grievance procedure, it is likely that it is because informal approaches have been unsuccessful or that your alleged behaviour is deemed by your colleague to be serious. In these situations, the process is likely to involve a meeting with the Responsible Person who is tasked with hearing the grievance. There may also be a separate investigation meeting, if a different investigator is appointed.

An overview of the grievance procedure as a flowchart is available.

Depending on the nature of the complaint that is raised, it is sometimes more appropriate to deal with the complaint as an allegation of misconduct under the relevant disciplinary procedure rather than via the grievance process. There may be an initial fact-finding investigation to determine the best process to use.

Preparing for the investigation meeting

You will receive a letter in advance informing you of logistics and attendees. Attendees include the Responsible Person or Investigator, an HR Representative and possibly a separate note taker.

The tone of the meeting is investigative and does not aim to be confrontational.

If you require any adjustments to be made for the meeting, please contact the HR Representative dealing with your grievance to request them. You can also ask them any questions you wish to about the procedure.

Talking to your line manager, your local HR team or contact, or your HR School team can help you understand the steps involved in a grievance process and how to prepare and respond. If you would prefer to talk to someone who is not associated with your team but can still set out what is involved in the University's grievance processes, you can also approach a Dignity at Work Contact or a trade union representative.

Seeking support for your wellbeing early on in the process can give you a confidential space in which to talk about the process, how it might be affecting you personally and at work, and ways of coping if you are finding it stressful. You could talk confidentially with a supportive colleague but if you feel that you would benefit from trained support, you can ask to talk with someone at the Counselling Service.

Choose a companion

You may take a work colleague or trade union representative with you to any formal meeting held as part of the grievance process. The support provided by a companion in these meetings can be reassuring and provide you with an advocate in the process itself. If you choose to bring a work colleague, make sure to ask someone who is not a witness to or directly involved in the issues that have prompted the grievance. While your companion will receive paid time off to attend the meeting, their role is completely voluntary. Please inform HR of your choice of companion in good time before your meeting.

At the meeting your Companion may:

- address the meeting
- put and sum up your case
- respond on behalf of you to any views expressed at the meeting
- confer with you during the meeting

Your Companion may not:

- answer questions on your behalf
- address the hearing if you do not wish it
- prevent the employer from explaining their case

If you feel that you are unable to work alongside the colleague who has brought the grievance whilst the process is underway, speak with your line manager or local HR team or contact about what temporary changes might be possible to your working arrangements.

When someone complains about you, you may feel like you want to retaliate especially against anyone who has been involved in the process. Victimisation is, however, one of the types of inappropriate behaviour targeted by the Dignity at Work Policy (2023 ed.).

Participating in such behaviour is likely to cause further distress to your colleagues and may potentially result in some form of disciplinary action for you. It also inhibits the possibility of you moving forwards positively from the grievance and working on good or acceptable terms with those colleagues in the future.

After the meeting

You will be asked to agree the notes of the meeting and will be given further information about how to do this and what to do if you don't agree with what has been written.

Grievances should be resolved without unreasonable delay in the interests of all parties. However, this may vary due to unavoidable delays. You can expect to be kept informed of anticipated time frames by the Responsible Person. If you have any questions about the process, you can speak to your HR contact. You will be told the decision in relation to any parts of the grievance against you and any other outcomes such as a requirement to attend training or the instigation of disciplinary procedures. Alternatively, the grievance may not be upheld and there may be no further action taken. You may be invited to a meeting to discuss the outcome of the grievance.

At the end of the process

After the process is completed, you might be satisfied and relieved with the outcome, but still feel overwhelmed by what you have been through. Alternatively, you might feel upset and frustrated if the outcome isn't what you had hoped or you feel the matter isn't fully resolved. The University Support Services are available to support you.