

# Colleague Respect and Resolution Toolkit

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## Informal Resolution Procedure

- 1) Colleague raises a request for resolution.
- 2) Assessment meeting takes place with your line manager (or alternative manager if requested).
  - a) Assessment meeting possible outcomes:
    - i) Coaching.
    - ii) Facilitated conversation.
    - iii) Team conference.
    - iv) Mediation.
    - v) Investigation – which could result in moving to a Formal Stage or another policy.
    - vi) Request for resolution is accepted and agreed.
  - b) If you are not satisfied with the outcome, you can request a formal meeting.
    - i) A formal meeting will be arranged with a manager independent of the process to discuss your ongoing concerns and what outcome you are pursuing.
      - If you are not satisfied with the formal resolution outcome you can appeal to the People and HR Service Manager. An appeal meeting will be arranged with a different manager. This is the final stage of the resolution procedure.

## How do I make a resolution request?

This could be in writing by email or letter. An example can be found below. *Please delete the blue text as appropriate*

“To: *(your line manager or their manager if the issue is regarding your own line manager)*”

Cc: *PeopleTeam@scambs.gov.uk*

I am writing to request a resolution to the following issue(s):

I have tried to resolve this in the following way(s):

I am seeking the following resolution:

I would like to raise this request: *informally / formally (If formally please explain the reason for not addressing the issue informally in the first instance.)*

I *do / do not* require wellbeing support.

*I have attached the following evidence:*

*I would like to suggest you speak to the following people as witnesses to the issue:*

I would prefer the assessment meeting to take place: *in person / on Microsoft Teams*”.

## What is an Assessment Meeting?

The resolution assessment meeting is an opportunity for a manager and/or the People Team to talk with you and identify the most suitable route to resolution. This should take place within 10 business days from receipt of your request. This is a meeting to get context around your concerns raised.

Your line manager/appointed manager will Chair, and a member of the People Team will be present. You can be accompanied by a Trade Union (TU) Rep or work colleague.

This could take place in person or via Microsoft Teams. Please let the People Team or your line manager know your preference.

## What can the outcome of an Assessment Meeting be?

### A facilitated conversation

It's an informal meeting to identify and resolve a disagreement or conflict. This is an opportunity for everyone to get together and constructively find a way forward. It can be difficult to resolve concerns between colleagues without everyone present and hearing what each other have to say.

This is a confidential discussion between all parties. A member of the People Team may be present.

The role of the Chair (facilitator) is:

- to remain neutral.
- explain the conditions for dialogue.
- actively listen.

The meeting should be solution focused with the aim of reaching an agreed outcome. No formal record is kept of any facilitated conversations, only the agreed outcome.

### Independent mediation

The mediator is an impartial third party who helps the parties have an open and honest dialogue. The mediator may be a trained line manager, HR professional, or an external mediator. The meeting should be solution focused with the aim of reaching an agreed outcome. Any agreement should come from the parties involved, not the mediator, they are not there to advise or judge. Mediation is a voluntary process, so all in attendance have to agree to be there. No formal record is kept of any mediation sessions, only the agreed outcome.

## What is the difference between mediation and facilitated conversation?

[Click here to find a document which explains the differences.](#)

### One-to-one coaching

We have trained up a team of workplace coaches who are now on hand to help you to gain greater awareness of yourself, your situation, and your challenges so that you can discover new ways of working or behaving that will help you fulfil your true potential. Coaching can provide an opportunity to work on meeting these challenges whilst achieving your own goals and objectives. [Click here for information on coaching.](#)

### A team conference in the case of team disputes or collective "requests for resolution"

Where a dispute is within in a team, or a collective resolution request is raised team conferencing may be used. This can take place in person or remotely.

The four core principles to Team Conferencing:

- All affected parties should attend the conference.
- It promotes a collaborative approach.
- It's led by neutral facilitator(s) who manage the process.
- It's confidential.

The meeting should be solution focused with the aim of reaching an agreed outcome. No formal record is kept of any facilitated conversations, only the agreed outcome.

## Investigation

The key purpose of the investigation is to discover all the relevant information in a fair, and objective manner. An investigation may include gathering evidence such as witness statements/interviews, photographic or video evidence, copies of communication. The length of an investigation will depend on the complexity of the concern but will always be dealt with as quickly as possible. In some circumstances it may be necessary for the Chair to appoint an independent investigator. If the investigation cannot be completed within 15 business days, you will receive an explanation as to why and an expected completion date. The investigation would follow the principles as detailed in the disciplinary policy.

The outcome of the investigation at this stage may result in:

- Moving to the formal meeting stage
- or for the matter to be transferred to the disciplinary policy.

### **Your request is accommodated.**

Your request may be able to be resolved and accepted during the assessment meeting.

You will receive a written copy of the assessment meeting outcome and meeting notes within 5 business days.

## Formal Resolution Procedure

### **What happens if I don't want to raise a resolution request informally?**

If you feel your issue cannot be resolved informally, you can request to have a formal resolution meeting. This request should be included in your initial resolution request to your line manager which includes a reason for not addressing informally. If an initial assessment meeting or investigation has not taken place, in most cases an [investigation](#) would be needed prior to any formal resolution meeting.

### **Formal Resolution Meeting – what is it?**

A new independent manager will chair the formal resolution meeting. There may be a delay to holding the formal resolution meeting if an investigation is required. The purpose of this meeting is to allow you to explain your issue, explain how you think it should be resolved and enabling a decision to be reached based on the available evidence and representations you have made. The focus of this meeting will be to seek a resolution.

### **When will the Formal Resolution Meeting be held?**

This should happen within 10 business days of the Chair being appointed.

You will be given 5 business days' notice of the formal meeting.

Any previous documentation will be shared with the Chair. You should provide any additional evidence 3 business days prior to the meeting. You should also inform the Chair if you are intending to bring a witness to the formal resolution meeting.

### **Who is present at the Formal Resolution Meeting?**

You, your companion, the chair, and a member of the people team will be present. In some circumstances it may be necessary, in cases of colleague disputes, to include all/some parties

included in the request. This will be on a case-by-case basis and discussed with the individual who raised the request.

### **What can the outcome of a Formal Resolution Meeting be?**

The outcome of a Formal Resolution Meeting will be a formal recommendation for resolution. This is usually agreed by the attendees in the meeting. The purpose of a formal resolution meeting is to find a mutually agreeable solution to resolve the issue.

Some examples could include:

- An apology and an undertaking by the alleged harasser/bully that the unwelcomed behaviour will stop is the best solution.
- The matter is best dealt with by other support mechanism such as redeployment, training (e.g. assertiveness skills, confidence building) or counselling/ specialist help, or dual or single mediation or a combination.
- The formal disciplinary procedure will be instigated.
- That there is a case of malicious intent to be answered.

### **Appeal**

If you are not satisfied with the Formal Resolution Recommendation, you can write to the People and HR Service Manager to request an appeal meeting.

Your appeal should include the reason you are appealing and your desired outcome. Your reason must fall into one of these categories:

- New information has come to light which was not considered at the previous formal meeting.
- Incorrect application of procedure at earlier stages.
- The Chair of the formal resolution meeting did not consider all the resolution options available to them.
- The outcome does not resolve the problem.

You will then be invited to attend a meeting with the nominated Head of Service (Appeal chair).

The Chair will supply a written reply to your appeal within 5 business days of the meeting. If there is a delay, the Chair will write to you to confirm an expected date of outcome.

You will receive 5 business days' notice of an appeal meeting.

### **Learning from Events**

Where appropriate we will reflect and learn from the resolution process. This stage is not a requirement but is encouraged and may be useful in helping develop healthier working environments and relationships.

This review should be conducted in partnership where appropriate, with a view to developing and supporting a healthy working culture. These discussions should be focused on positive outcomes.

### **Definitions**

#### **Bullying**

Although there is no legal definition of bullying, it can be described as unwanted behaviour from a person or group that is either:

- offensive, intimidating, malicious or insulting.

- or a misuse of power that undermines, humiliates, or causes physical or emotional harm to someone.

[See ACAS for further information.](#)

## Harassment

In discrimination law (Equality Act 2010) there are 3 types of harassment:

- harassment related to certain 'protected characteristics'.
- sexual harassment.
- or less favourable treatment because of harassment.

[See ACAS for further information.](#)

## Sexual Harassment

Sexual harassment is defined as any unwanted sexual behaviour – physical or verbal, in person or online. It can be a single incident or a repeated pattern, and it can happen to anyone of any gender. Common examples of sexual harassment include:

- Unwelcome sexual advances or propositions
- Invasive questions and sexual comments
- Degrading or sexually offensive jokes
- Emails or messages with sexual content
- Sharing or displaying pornographic material (text, drawings, photographs or videos)
- Unwanted or inappropriate touching (which may also constitute sexual assault)

Sexual harassment is about power – it involves making someone feel uncomfortable, humiliated or intimidated. It may be perpetrated by colleagues, by clients or customers, or by managers or leaders.

Women report experiencing higher levels of sexual harassment, but men can also be victims. In addition, LGBT+ people may be at increased risk of sexual harassment on the basis of their sexuality or gender identity.

[See ACAS for further information.](#)

## Discrimination

Discrimination means treating someone 'less favourably' than someone else, because of a protected characteristic.

[See ACAS for further information.](#)

## Victimisation

Victimisation is when someone is treated less favourably because of being involved with a discrimination or harassment complaint.

[See ACAS for further information.](#)

## Hate Crime Incident

A **hate incident** is any incident, which may or may not constitute a criminal offence, which is perceived by the victim, or any other person perceives to be motivated by hostility or prejudice based on their disability, transgender identity, race, ethnicity or nationality, religion, faith or belief, gender, or sexual orientation.

[For further information on hate crimes, visit ACAS.](#)

**Hate incidents and potential Hate Crimes** should be reported to the Police using the advice and guidance from [Cambridgeshire Constabulary](#).

## Anti-Racism Charter

The Council has adopted the Anti-Racism Charter. Anti-racism is a positive term that describes actively working to understand, explain, challenge, and solve racial inequality and injustice. The key difference between being non-racist and anti-racist is taking action. This means it is not enough to not be racist or to focus on explicit, conscious hatred, like racial abuse. Instead, it is everyone's responsibility to challenge this behaviour appropriately and notify the People Team whenever it occurs so it can be investigated, and actions can be taken and recorded. This is aligned with our values as proactive challenging of racism supports our value of accountability.

## White Ribbon Accreditation

We are committed to supporting the [White Ribbon Campaign](#). White Ribbon UK is the leading charity engaging men and boys to end violence against women and girls. Their work is preventative, they want to prevent men's violence before it can begin.

The White Ribbon is the global symbol of ending men's violence against women.

Wearing a White Ribbon to show your commitment to ending violence against women and girls. White Ribbons act as a conversation starter to encourage others to show their support too.

## FAQs

### When should I raise something under the Respect and Resolution Policy?

If you feel unable to resolve your concern following conversations with your manager, you can speak to the People Team to understand your options.

The Respect and Resolution policy aims to bring complaints, conflicts, or disputes to a resolution speedily and effectively. Wherever possible, the Respect and Resolution policy places responsibility for the resolution of conflicts and disputes directly with the people involved.

You might decide to use the Respect and Resolution policy if you have a dispute with a colleague. Other examples might be:

- terms and conditions of employment,
- health and safety,
- work relations,
- bullying and harassment,
- new working practices,
- working environment,
- organisational change,
- discrimination.

**I am going through the process or thinking of starting the process, who can I talk to?**



## **Trade Union, People Team, a trusted colleague.**

### **Speaking up Champion\***

Speaking Up Champions have a vital role in:

- Awareness raising – Ensuring colleagues understand the importance of speaking up, listening up and following up.
- Signposting – Discussing concerns with colleagues and providing details of speaking up routes.
- Promoting a positive speaking up culture

The champion has been given special responsibility in supporting colleagues who have concerns about working relationships with other colleagues.

*\*Speaking up Champions are being recruited to with policy and toolkit launch.*

### **What do I do if I have the same issue to be resolved as a colleague?**

Your resolution request is collective when you and your colleagues all have the same issue. No colleague should be pressured into raising a collective resolution request.

If you and your colleagues are all members of the same trade union, you can seek their support. Alternatively, you and your colleagues can agree to nominate one of you to act on behalf of all of you.

If there is not a nominated representative, you and your colleagues will be entitled to attend the formal meeting and take turns to address concerns individually, but you will have no additional right to be accompanied beyond having your colleagues present.

If you have raised a collective resolution request:

- You and your colleagues will have one formal hearing and one appeal hearing (if required).
- You and your colleagues will be notified individually of the outcome at each stage of the process.

If you or your colleagues wish to be represented by your trade union representatives on an individual basis, the “resolution request” will be treated as an individual request.

### **I am going through the process and I’m finding it overwhelming, what support is there?**

We take the mental health of staff and members seriously. You can access our [support page on Insite](#) which details our mental health supports.

### **I do not feel comfortable raising my issue, can I raise my complaint anonymously?**

It can be difficult to investigate an issue raised anonymously. An investigation relies upon fact finding from individuals involved, whereby evidence and statements are paramount. You can speak confidentially to the People Team who will provide you with options on how to approach an issue anonymously.

You can also anonymously raise an issue using the anytime feedback mechanism, Colleague Perspectives. You will see the QR code in a number of locations around the building and on Insite [here](#). Scan the QR code with your device or [Use the link](#) and answer 3 short questions to give us your feedback. Responses are anonymous, but feel free to add your name in the comments box if you’d like us to get in touch with you.

Colleague Perspectives - Tell us  
what you think?



### **When will the People Team be present during this process?**

A member of the People Team will normally be present at any meetings to support the Chair, to advise on procedure, take notes, and ensure the procedure is followed. The People Team won't be present at mediation meetings.

### **When can I be accompanied?**

You can bring a Trade Union Rep or work colleague to an assessment meeting, formal meeting or appeal meeting. You should arrange this support and notify the People team of the name of your companion or Trade Union Rep. The role of the companion or Trade Union Rep is to support you; they cannot answer questions put to you.

### **My request involves an issue with my manager, I don't feel comfortable raising it.**

Having open communication with your line manager is conducive to a positive working relationship. However, if the relationship has broken down and you are uncomfortable raising your request to your line manager's manager, you can send your request to the People Team, and if required, they can appoint an independent chair for the assessment meeting.

You may also want to use alternative tools to support you such as completing a [stress identification tool](#). You can also use this guide to help support you have an open and honest conversation with your manager - [Tips for having difficult conversations with your manager](#). You could also revisit your Team's Communication Charter.

### **What happens if I have raised a request whilst I'm going through a disciplinary process?**

If you raise an issue while you are subject to disciplinary proceedings, if appropriate (depending on the nature of the issue(s) raised), the disciplinary proceedings may be temporarily suspended pending the outcome of your resolution request.

The organisation may also follow both the disciplinary and resolution processes concurrently. If you feel that the disciplinary action taken against you is wrong or unjust, you should appeal against the decision under the Disciplinary Policy.

## Can I raise a resolution request if I've handed in my notice or left employment?

Colleagues are encouraged to raise any issues at the earliest opportunity. If a former colleague of the Council makes a complaint about an issue related to their employment, they should write to the People Team as soon as possible after leaving, but within three months of the last incident.

An appointed manager will investigate and provide recommendations for next steps. You will receive notification that your request has been received but you would not be notified of the outcome in the interest of confidentiality.

## What do I do if I know they didn't mean it, but it still isn't okay?

When interacting with colleagues, it's important to understand the difference between intention and impact:

**Intention** refers to what you mean or hope to convey with your words. It's your internal motivation or reason for saying something.

**Impact** is how words are received and interpreted by the other person. It's the actual effect comments have on them, which can be influenced by their personal experiences and perceptions.

Example: A small team who have successfully completed a piece of work and, at their final meeting, the customer gives the manager a large box of chocolates as a thank you for a job well done. Coming back to the office, the manager hands it to one of the team members with the comment, *"These are from one happy customer but just because you've already broken your diet today doesn't mean you can eat them all, leave some for the rest of us"*.

The manager's **intention** was to be humorous and show appreciation to the whole team for their hard work by sharing the customer's gift. On this occasion, the **impact** of the manager's behaviour was an upset, humiliated team member who felt they had been victimised.

Think before you act is an obvious piece of advice. However more practical advice is to consider your emotional intelligence (EI). EI is defined as the ability to recognise and manage your own emotions and the emotions of others. A high EI is considered a vital quality for leaders, with obvious benefits for workplace relationships, teamwork and personal relationships. Two elements of EI which are of particular significance when intent vs impact is being discussed are self-awareness and self-regulation. Both are skills we can all develop and help us to proffer the correct attitude and response in situations such as the one outlined above. They help us understand other people and how they perceive us.

Remember, **you judge yourself on your intent, but others judge you on the impact your behaviour has**. "I didn't mean it to be taken like that" simply isn't a suitable defence. Even if you feel the intention wasn't to offend or upset you, or you made a comment and it wasn't your intention to offend or upset a colleague, the issue should still be raised.

## My conflict is with a Councillor/Member, what should I do?

A respect and resolution request should be made.

The general procedure for colleague-colleague conflict will be followed, with the exception that the Chief Executive will also be informed of the matter, and they in turn have a duty to inform the Monitoring Officer. The Monitoring Officer will be the 'nominated person' to receive the report from the investigation. It may also be necessary for the procedure outlined under s.13.2 under the Protocol on Member/Officer Relations to be invoked.

## **What is my role under the resolution policy?**

- To fully engage in respectful dialogue to resolve issues at the earliest possible stage of conflict.
- To work together to find mutually acceptable outcomes to conflict.
- To be courageous and take steps to pro-actively resolve conflict in a solution focussed manner.
- To approach all conversations respectfully, constructively, and non-judgementally.
- To raise any matters in a timely manner, so that they can be resolved fairly and quickly.
- To maintain confidentiality and deliver on any agreements reached throughout the process.
- To take ownership and responsibility for resolving any conflicts or disputes.

## **What is my manager's responsibility?**

- They should seek advice from the People Team in a timely manner.
- To promote constructive and collaborative conversations and respectful dialogue.
- To listen actively, non-judgementally and with sensitivity.
- To act with compassion, impartiality, integrity and without taking sides.
- To raise the profile of the Respect and Resolution Policy and the approaches available to effectively manage conflict.
- To maintain an open culture where people can speak up about their experiences.

## **What is the People Team's responsibility?**

- Ensure provision of training, support, and guidance for managers.
- Regularly review and monitor the operation and effectiveness of the policy and toolkit.

## **Reasonable Adjustments**

In the application of the resolution policy, the Council will make reasonable adjustments for colleagues who are unable to deal with written correspondence and requirements due to disability, as well as any other reasonable adjustments that may be required to enable a colleague to fulfill their obligations as part of this Policy. Colleagues who need assistance with interpreting this policy can contact the People team for guidance and support.

## **Absence During the Resolution Process**

If you are involved in the Resolution Process and are unfit to attend work due to illness, the manager will contact you. If appropriate, medical advice will be sought.

If possible, the Resolution Process will continue and you will be invited to attend meetings as necessary, or alternative arrangements will be made to engage with you, for example setting questions in writing. If it is not possible for the Resolution Process to continue during your absence, this will be reviewed upon your return to work.