

Dignity at Work: what to expect if a complaint is made about you

Policy



- Our Dignity at Work Policy supports how we want NHSBT to be a great place to work where colleagues feel engaged, valued and treated with dignity and respect in an open and positive environment.
- Early resolution of working relationship difficulties is important, and we strongly recommend that colleagues and managers seek to openly discuss difficulties that they may encounter in their working relationship at the earliest opportunity to help reach an understanding early.
- However, sometimes either because of the nature of the complaint or previous attempts to resolve issues have been unsuccessful we may receive Dignity at Work complaints which we need to address more formally.
- Our Dignity at Work Policy should be referenced for the detail on the process and policy. This guide seeks to help you understand how we apply the policy and answer some questions we know from experience colleagues may have.

Fact-Finding



- You will be advised if a complaint has been made about you. Fact-finding is the process of initially speaking to people involved to get their recollection of events and this will include speaking to you to understand your view of the events or issues raised.
- It may help you to write down what you can recall: What did you say/see/hear? Dates/times? Were there other witnesses? What impact did the incident/issues have on you and others, both at the time and since?
- We will always seek to resolve issues informally, where appropriate. Once information has been gathered, the case will be discussed by a joint group of Senior HR and national trade union representative, to establish the direction of the case. This may be further informal measures or formal investigation under the Dignity at Work Policy.
- Our Dignity at Work Policy should be referenced for the detail on the process and policy.

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Investigation



- We will appoint an Independent Investigation Team, of at least two members, led by an operational manager.
- We seek to investigate incidents or complaints swiftly. You will be asked to attend an “Investigation Meeting” and be provided with reasonable notice of around 5 – 7 working days.
- We aim to conclude the investigation and respond back on the findings within a maximum period of 12 weeks and we rely on the co-operation of all parties to achieve this.
- In most cases you will be able to remain at work during the investigation, but in some cases it would not be fair or helpful to have you work directly with the complainant during this time, so options for alternative working patterns, location or duties will be explored to facilitate a temporary change pending resolution of the complaint.
- Suspension is never a decision taken lightly, and we will always consider alternatives. If you are suspended, this will be with pay, as brief as possible and kept under regular review. Suspension is not a disciplinary action and is no indication that the investigators have formed an opinion about the complaint raised.

Support



- We will identify a named colleague who will keep in touch with you during the investigation. This colleague’s role will be to check-in with you and answer any questions you have in relation to the process, keep you updated and check on your health and wellbeing during this time, which we understand can be challenging for you.
- We also have other colleagues who are available to guide and support including our Freedom To Speak Up Guardian, Mental Health & Wellbeing Champions, BAME, LGBT+ and Women's Networks, trade union representatives and HR Direct.
- A work colleague or trade union representative may join you at formal meetings for support and representation if necessary.

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Investigation meeting(s)



- The purpose of the meeting is to explore your recollection of the events/incidents and establish all the facts from yourself. You will be invited to provide and share any additional information which you consider to be relevant. Please use the meeting as your opportunity to provide a full, open, honest and accurate account of your recollection and experiences.
- The letter inviting you to the meeting will confirm: who will be at the meeting and their role, a brief description of the complaint about you and the right of representation.
- You may be asked to attend a follow up meeting(s) as the investigation progresses. The key is that the investigation must be full and fair.
- You can submit written evidence to the investigators after the meeting and ask them to take it into consideration.
- The Investigation Team will talk to you in more detail about the complaint made and the circumstances of it. They may also explore your general working environment to help them understand the incidents or events under investigation.
- If you feel that there are witnesses who could support your account of events and you feel they should be included in the investigation, you can request that the investigating manager speaks to them.

Investigation Notes



- We don't audio record our meetings, but we do take summary notes (not verbatim) which will be shared with you.
- Whilst we aren't required to have your formal acceptance and agreement of the notes, we will share them with you, and you may add corrections or comments for the Investigation Team to consider.
- We also have other colleagues who are available to guide and support including our Freedom To Speak Up Guardian, Mental Health & Wellbeing Champions, BAME, LGBT+ and Women's Networks, trade union representatives and HR Direct.

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Findings

- Each case will be different, and the Investigation Team will review the information gathered from everyone involved, and make recommendations for next steps.
- This could include mediation between parties, training or developmental initiatives for you or others in the team.
- If their findings are that the complaint is upheld and of a serious nature, referral into the Disciplinary Policy may be necessary.



Other

- The investigators will make arrangements to keep you informed. It may take some time to carry out a thorough investigation, so please be patient and be assured the investigators will let you know whether they need to speak to you again and the outcome just as soon as they can. The investigating manager or your line manager will keep in touch with you throughout the process to ensure that you are aware of the progress of the investigation.
- It's important that we respect the **confidential** nature of the issues for all involved and so we ask that you do not discuss your complaint with colleagues at work outside of the recognised individual(s) you have supporting you during the process. We recognise that you may want to discuss your concerns with your immediate family member(s), but please respect the sensitivities of the discussion and ensure that no details are shared further or posted on social media, either internal or external to the organisation, by anyone.

