

Respect and Resolution Policy

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Respect and Resolution Policy

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Guiding Principles

The Council believes that its colleagues should be treated equally and with respect. All disputes will be treated in a prompt, fair and consistent way.

This policy:

- Encourages early resolution and has a collaborative approach to dispute resolution. It promotes mediation throughout the process to balance the rights and best interests of all parties.
- Should be applied in line with [Our Council Values](#) and used in conjunction with the colleague toolkit which can be found on Insite.
- Applies to all permanent and fixed term colleagues as a method for resolving disputes. It may be used in individual disputes, team disputes and in collective disputes.
- Will allow requests by agency workers, non-permanent colleagues or ex-colleagues, these will be investigated in line with the policy. Ex-colleagues should raise a request as soon as possible after leaving or within 3 months of the last instance. Following the investigation, you will receive a written outcome. In the interest of confidentiality, the outcome will provide limited information.

This policy meets and exceeds the standards set out in all relevant legislation and in the [ACAS Code of Practice](#).

Rights

You have the right to be treated with respect and dignity during your employment with the Council.

If you believe this is not being met, you have the right to raise a respect and resolution request for any reason and not be treated any less favourably thereafter.

The Equality Act 2010 gives colleagues the right to protection from all forms of discrimination related to protected characteristics such as race and gender. This includes both direct and indirect discrimination, victimisation and harassment.

Responsibilities

Colleagues are expected to treat each other with respect and dignity and to report any inappropriate behaviour seen to their line manager or the People Team.

Managers have a responsibility to listen carefully to concerns and take colleague concerns seriously. They are expected to take relevant action and to provide colleagues with support.

Contractors have an obligation to behave in an acceptable way whilst carrying out work for the Council. They must adhere to the appropriate provisions in the **General Conditions** document. The Council may also take action to end the contract or require the Contractor to remove the individual concerned from that particular contract.

People Team are here to advise colleagues on the application of this policy.

A member of the People Team can:

- answer questions that you may have about the resolution process or policy;
- [signpost to any support](#) that may be beneficial as part of the resolution process;

A member of the People Team will usually be present during any meetings to:

- take notes,
- support the manager chairing the meeting,
- advise and ensure that the procedure is followed,
- act as a mediator or chair a facilitated conversation.

Speaking up Champion* is an independent and impartial source of advice for colleagues at any stage in which a concern is raised.

If required, **the Council** may decide to instigate the formal process; we would consult the colleague before this occurs. In some circumstances, such as in cases of harassment or discrimination, it may be decided by the Chair that it is more appropriate to suspend the resolution process and progress the matter under the appropriate disciplinary policy.

Sexual Harassment

We are committed to fostering a safe and respectful workplace for all employees. We maintain a zero-tolerance approach toward sexual harassment, and we are dedicated to preventing and addressing such behaviour effectively.

Sexual harassment can be reported to:

- Line Manager
- People Team
- Trade Union Representative

The process to address these issues raised will follow that of the informal/formal process whichever is deemed by the colleague raising the request to be most appropriate at the time of raising the request.

If a colleague experiences sexual harassment, they will be given paid time off to get help with any resulting physical or mental health problems.

[Preventing sexual harassment - Sexual harassment - Acas](#)

Informal Resolution Process

Seeking Advice

If a colleague has a concern they should speak to a trusted colleague, line manager, speaking up champion* or a member of the People Team.

Respect and Resolution Request

1. You can make a request to your line manager. If your issue is with your line manager, you can make a request to their line manager. Provide a copy to the People team.

See colleague toolkit for template.

2. Groups of colleagues can raise a "respect and resolution request" if they have the same issue.
3. The resolution assessment process will begin when the People Team receive your resolution request.
4. In the interests of confidentiality, during the resolution process, you can only discuss this matter with your workplace companion, Trade Union Rep or Speaking Up Champion*.
5. If you would like wellbeing support throughout this process, please include this in your request, or subsequently speak to a member of the People Team.

Assessment Meeting

After submitting a respect and resolution request, you will have an Assessment Meeting. Your line manager or an appointed manager will chair the meeting, and a member of the People Team will be present. The outcome from the assessment meeting may result in the following:

- A facilitated conversation.
- Mediation.
- One-to-one coaching.
- A team conference in the case of team disputes or collective "resolution request".
- Investigation.
- Respect and Resolution request is resolved.

See the Colleague Toolkit for further information.

Formal Resolution Meeting

If the matter is not resolved informally, a formal resolution meeting will take place. An independent manager will Chair the formal resolution meeting.

The outcome will be a formal recommendation for resolution, usually agreed by the attendees in the meeting. You must take all reasonable steps to attend this meeting.

Within 5 business days of the meeting, you will receive a written outcome. If there is a delay, the Chair will write to you to confirm expected date of outcome.

Colleagues have the right to appeal the outcome of the formal resolution meeting.

In the case of Head of Service or Chief Operating Officer, an Executive Director or the Chief Executive will hold the formal meeting with you. If your resolution request is about an Executive Director or the Chief Executive, then it will be referred to the Chair of the Employment & Staffing Committee and an Independent Advisor.

Suspension During Investigation

In some circumstances, it may be appropriate to suspend the alleged perpetrator. If this is the case, the process will be followed as set out in the Council's Disciplinary Policy.

Appeal Process

To appeal a formal resolution outcome, you must write to the People and HR Service Manager within 10 business days of receiving the written outcome. You cannot appeal an informal resolution meeting; instead, you should move to the formal resolution stage.

The decision given at the Appeal stage is final.

Service Users/Members of the Public

Complaints received from service users or members of the public will be dealt with under the Council's Complaints Procedure. Where necessary Disciplinary Policy will be instigated. Colleagues who witness such incidents have a responsibility to report it to their line manager.

When the alleged perpetrator is a service user or member of the public, the Council may review how services are provided to that person. This may involve the withdrawal of service. We will support colleagues in such cases.

Managers have a responsibility to protect their team members from feeling intimidated. If necessary, they should be removed immediately from direct interaction associated parties.

If a colleague does not report an incident, and you are made aware of it, you should follow the process to report the concern.

Keeping Records

In the interests of both The Council and colleagues, written records will be kept during the resolution process. Records will include:

- The respect and resolution request raised.
- A copy of any written communication from the colleague(s).
- The employer's response.
- Action taken.
- Reasons for action taken.
- Whether there was an appeal and, if so, the outcome.
- Subsequent developments.

If the issues raised relate to one of the protected characteristics under the Equality Act such as race or gender the People Team will record this information for reporting purposes.

Records will be kept in confidence and in accordance with the General Data Protection Regulations (2018).

A copy of the minutes of all meetings will be provided to the colleagues in attendance.

In certain circumstances (for example to protect a witness) the employer might withhold some information. This is in line with ACAS Code of Practice on Discipline and Grievance.

Other Linked Policies

Equality Act, Public Sector Duty, Anti Racism Charter, White Ribbon, Disability Confidence etc.

**Speaking up Champions are being recruited to with launch of the policy.*