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Australian
Human Rights
Commission

everyone, everywhere, everyday

Eliminating discrimination and harassment from your workplace

INFORMAL RESOLUTION OF COMPLAINTS BY MANAGERS AND SUPERVISORS

The following information is a guide for managers and supervisors to assist with the informal resolution of complaints within the workplace.

Managers/supervisors

Suggestions for managers/supervisors when approached by an individual regarding discriminatory or harassing behaviour.

- Be aware that individuals who approach you about harassment may feel a range of emotions; anger, distress, vulnerable, intimidated, frustrated, powerless, etc.
- Support the complainant by reassuring them that they have taken the appropriate action by seeking your assistance.
- Listen, take seriously, be sensitive and non-judgemental.
- Inform them that no form of harassment is acceptable and they have a right to complain and have the offensive behaviour stopped.
- Outline the organisation's policy and procedures.
- Ask the complainant how they want the situation to be handled.
- Discuss options and outcomes.
- Advise about confidentiality.

Practical steps towards a positive resolution

- Seek advice and/or assistance from personnel on how to handle the situation, if necessary.
- Assist complainant undertake "self-help" resolution if required – discuss ways in which they could tell the offender that their behaviour upsets them and they want them to stop it, or refer person to contact officer who can be able to provide advice.
- Undertake any immediate action, such as removal of graffiti.
- If necessary, approach the person against whom the complaint is made.
- The initial aim should be to stop the behaviour perceived as harassing, now and in the future.
- Monitor and ensure behaviour does not recur and that the complainant is not victimised.
- Any record keeping should take the form of simple diary notes.
- Discuss continuing, serious and/or difficult problems with management or employee relations/personnel as soon as possible – it may not be possible for the complainant to resolve the issue alone and management may need to take formal investigatory action.
- Management may need to take other action to protect all staff. Discuss with, and keep, the complainant informed of any action taken (internal formal option).

***Informal discussions with the person
against whom a complaint has been made***

- Listen to their point of view.
- Inform them of relevant policy and procedures.
- Inform them that if the alleged behaviour did occur they would be in breach of the organisation's policy and state/federal law.
- Advise that even if behaviour were not intended to be offensive, offence has been taken and needs to be resolved.
- Clarify acceptable and unacceptable behaviour.
- Discuss any action needed to resolve the complaint and relay this to the complainant.
- Obtain an undertaking that the behaviour in question, regardless of whether admitted or not, will not be repeated by the respondent in the future.
- Advise of potential penalties if the behaviour continues, the need for confidentiality and the prohibition of victimisation.

