

# Contact People Handbook

**Bullying & Harassment  
Prevention Programme**

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Bullying & Harassment Prevention Programme

## Foreword

This handbook is for you as a contact person, within our bullying and harassment prevention programme

Thank you for supporting CCDHB's bullying and harassment prevention programme. Your involvement makes it possible for employees to have a safe and confidential way to talk about, and consider how they might want to address, bullying and related issues.

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### 1.0 Definitions

#### 1.1 What is Bullying?

Bullying is repeated and unreasonable behaviour directed towards a person or group of people. It can be physical, verbal, non-verbal or emotional. Bullying may be direct and obvious, or indirect and subtle. It often includes behaviours that are intended to target, victimise, undermine or humiliate the recipient. When bullying is directed towards an employee, or group of employees, it creates a risk to health and safety.

In some instances where the behaviour towards the recipient is particularly serious, a one-off incident can amount to bullying.

#### 1.2 What is Harassment?

Harassment is behaviour much like bullying. It is generally a pattern of behaviour repeated over time but may be a one-off occurrence (e.g. a physical assault). Harassment may be in respect of gender, ethnic origin, colour, religion, marital status, age, sexual orientation, disability, health status, and could include abuse of authority, unfair or inequitable treatment of an employee by their manager or similar behaviour.

Racial harassment in employment is where an employer or employee uses behaviour, language or visual material that expresses hostility against someone on the grounds of their colour, race, or ethnic or national origins, which is hurtful or offensive to that person and has a detrimental effect on their employment, performance, or job satisfaction.

Sexual harassment in employment is where an employer or employee (including a manager):

- makes a request for sexual intercourse, contact or activity and promises preferential or threatens detrimental treatment, or makes threats about an employee's employment status; or
- uses behaviour, language or visual material of a sexual nature that is unwelcome or offensive and has a detrimental effect on an employee's employment, performance or job satisfaction.

#### 1.3 What is Victimisation?

Victimisation is treating a person (or threatening to treat a person) less favourably than they otherwise would have been as part of, or as a result of, an allegation of bullying, harassment, or discrimination.

#### 1.4 What is Discrimination?

Generally speaking, discrimination is treating someone less favourably than someone else in the same or similar circumstances, for example excluding or restricting an employee or group of employees from opportunities that are available to others. Discrimination on the basis of a person's sex, marital status, religious belief, ethical belief, colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status or sexual orientation is prohibited. In employment, discrimination can also extend to different treatment because of a person's involvement in the activities of a union and their refusal to do work likely to cause serious harm.

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### 1.5 What is not Bullying:

- Differences of opinion, disputes and difficulties in working relationships.
- A manager allocating work, setting reasonable instructions, goals and deadlines, and giving legitimate feedback.
- Managing and addressing identified performance, competence, or disciplinary issues.
- Friendly banter, light-hearted exchanges, mutually acceptable jokes and compliments.
- Friendships, sexual or otherwise, where both parties consent to the relationship.
- Free and frank discussion about issues, concerns in the workplace, or directed at the advancement of knowledge which are not personal or targeted at individuals.
- Instructing staff to ensure safe work practices.
- Constructive feedback and legitimate advice from peers or colleagues.
- Isolated instances of rude or thoughtless behaviour, especially when the individual later apologises (the behaviour may nevertheless be addressed as unacceptable behaviour).

## 2.0 The role of the contact person

### 2.1 What does a contact person do?

As a contact person you are a sounding board for employees, an impartial and objective third party who the employee can outline their concerns to. **Your role is to talk through the concern with the employee and advise them of their options in regards to how to address this and the appropriate people to contact.** In many situations you will be the first point of contact.

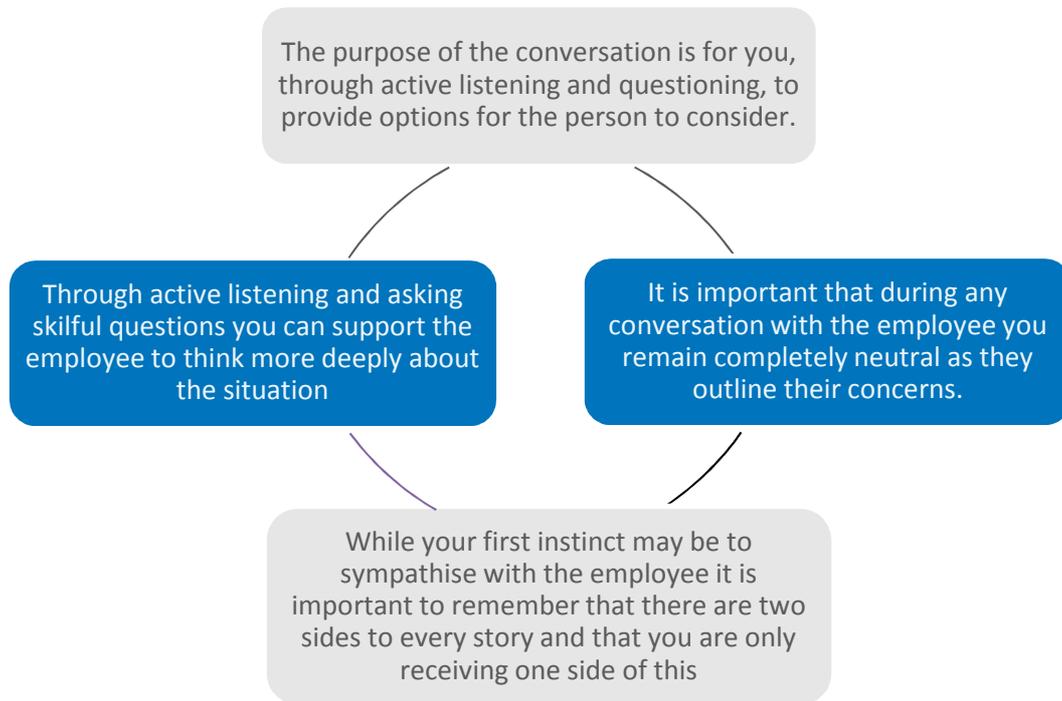
The chart in Appendix One demonstrates where your role sits in relation to the overall process that is followed when an employee is concerned about possible bullying, harassment, discrimination or victimisation.

### 2.2 What doesn't a contact person do?

As a contact person you do not:

- Investigate a complaint
- Decide if a complaint is bullying, harassment, victimisation or discrimination
- Approach others on the behalf of the employee including:
  - Their manager
  - Their union
  - The person that the behaviour of concern or complaint is about
- Act as a support person during any meeting the employee may be involved in
- Act as a mediator
- Advise what you think the outcome will, or should, be.

### 3.0 The conversation



#### 3.1 Questions to ask

- What happened?
- Who was involved?
- How has it affected you?
- How did you respond?
- What was the context or situation?
- Did anyone else observe it?
- Was this the first time you've experienced it?
- Tell me about other times?
- Have you talked about it to anyone else yet?
- Where to from here for you?

#### 3.2 Useful guidance you might provide to the employee

- Consider the consequences of any action you take.
- Keep notes of any interactions that concern you - you may want to refer to these later.
- Retain copies of any correspondence, be it texts, emails or social media posts, which relate to your concern.
- Resigning from your job in a fit of anger or despair may create other issues for you to deal with.
- Keep your temper and avoid behaving in kind, e.g. sending angry emails, name calling or excluding the person.
- Be mindful of your employment agreement – don't take leave without permission.

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- Avoid trying to rally other staff members to 'your side' or create a witch hunt.
- Don't complain to people in other organisations about what you're experiencing; think carefully about who you discuss the situation with.
- Look after your health, keep active and ensure you eat well and get enough sleep.
- Seek independent or formal help.

### 3.3 Inappropriate / unhelpful responses to the employee

- Did you do anything to encourage them?
- Surely they were only joking?
- I know the person you are talking about, I can't believe they would say something like that
- Are you sure there hasn't been a misunderstanding?
- Do you really want to go through with making a complaint?
- It doesn't sound that serious to me, why don't we just see how things go for awhile?
- It sounds like you're the problem, why don't you change what you're doing?
- You can only change yourself and hope that they do the same

### 3.4 Potential actions

There are a number of different actions which you can suggest to the employee. These include:

- Talking to their manager
- Talking to their union
- Talking to an HR Advisor
- Talking to the person the behaviour of concern or complaint is about

It may be that the employee who approaches you already has an action in mind in which case they may just want you to be a sounding board. If you have concerns with any approach you can discuss with them alternative actions such as the above.

### 3.5 Conflicts of interest

It is important to understand boundaries in your role as a contact person. You should refer an employee to another contact person if you:

- Are related to any of the parties involved (the complainant or the subject of the complaint)
- Are friends with any of the parties involved (the complainant or the subject of the complaint)
- Work in the same team as any of the parties involved (the complainant or the subject of the complaint)

In situations like the above a personal connection can make it difficult to remain objective. To ensure the employee receives the best support, and to maintain the integrity of any process which may follow, you will need to withdraw yourself from such situations.

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### 3.6 Note taking

It is important that a record of your conversation with the employee is maintained however we don't expect you to be taking notes about every detail of the conversation. We have designed a spreadsheet template on which you will be able to select the area the employee has come from, the nature of their concern and what the outcome of your meeting was.

#### For example

Someone from Radiology comes to you to say that they feel they are being bullied by a co-worker. After talking through their concern they conclude that they will talk with their manager.

On the spreadsheet this would be entered as:

Date	Directorate	Service	Type of Concern	Potential Action	Notes
14/02/2017	CSS	Radiology	Bullying	Talk to Manager	

Every month you will be asked to submit your spreadsheet to your HR contact which will allow them to report on the number and type of concerns being raised.

### 3.7 Confidentiality

Reaching out to a contact person can be daunting for an employee and they need to be confident that any discussion held remains completely confidential. Without this confidence and trust the contact people initiative will not be successful.

It is important to declare to an employee at the start of any conversation that in situations where you and/or the employee feel that their safety is compromised the conversation cannot remain confidential and must be reported to HR immediately, as per legislation. Although this is a legislative requirement it is important that you discuss with the employee the reasons as to why you must disclose the conversation to prevent the employee from feeling that this is a breach of privacy.

## 4.0 Situational Examples

### Example One

An employee, Morehu, has recently had a new manager, Mateo, appointed. Mateo has asked Morehu to provide him with a weekly list of what he has on and then at the end of the week to update him on what he has completed.

Morehu has not had to do this with previous managers and feels that Mateo is insinuating that he cannot do his job; Morehu says he is being bullied.

Morehu discusses his situation with Nick, a contact person.

Nick discusses both formal and informal options and Morehu asks what an informal option could look like. Nick advises that possible options could be Morehu approaching Mateo directly to discuss, or a mediated meeting between Morehu and Mateo. Morehu asks Nick if he can mediate this however Nick clarifies that his position as a contact person is to discuss possible actions rather than be an active participant in anything that takes place.

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Morehu says he has a one on one coming up with Mateo but is unsure as to if he feels comfortable directly addressing this with him. Nick suggests that if he is uncomfortable approaching Mateo directly he can talk to his one up manager, HR or his union representative.

Morehu decides to raise the issue with Mateo in their next meeting. In the meeting Morehu discusses that he feels Mateo is questioning his abilities at work. Mateo apologises for Morehu feeling that way and explains that he is new to leading a team of this size and with being in a new environment he had been asking everyone to provide him with details on what they have going on so he can assess the type of work and the volume the team deals with. Mateo assures Morehu that he is not questioning his work but is just trying to find his footing in the team.

Morehu is pleased with Mateo's response and tells him to let him know if he has any questions about the work the team does.

### Example Two

Jessica has just joined a team which is all males. The team frequently makes comments of a sexual nature, rating female celebrities in terms of "hotness".

This makes Jessica feel uncomfortable and she has expressed this to her manager on two different occasions. Jessica's manager has responded by telling her that they were only joking and that she shouldn't be so serious. Jessica is now unsure if she is overacting.

Jessica approaches a contact person, Awhina, to discuss the situation.

Jessica tells Awhina that she is worried about retribution should she make a complaint. Awhina asks if Jessica is worried about her safety as, if so, she will need to involve HR. Jessica says she is not worried about her safety, she is just worried about how making a complaint will affect her already awkward working environment.

Awhina asks the key questions and talks through informal and formal options with Jessica. She reminds her that EAP is available to her if she wants to talk to someone who specifically deals with these types of situations. Awhina also advises Jessica to keep a record of any conversations she has with her colleagues and manager in case she wants to refer to these later.

Jessica contacts EAP and decides to talk to her one up manager. Jessica advises that she does not want to make a formal complaint at this stage however she does want someone to discuss with the team how their actions are impacting on her.

The one up manager discusses the situation with HR and together they decide that an appropriate way of handling the discussion will be to have someone from EAP lead this.

The session goes well however one colleague continues to make sexual comments when in Jessica's company. Jessica decides to lay a formal complaint and the matter is addressed via a disciplinary process.

### Example Three

In one of their monthly catch ups Laura discusses with Dan some concerns she has with his work and asks what she can do to support him in achieving the required targets. Dan mentions a few ideas which Laura then implements.

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In their next monthly catch up Laura discusses with Dan the fact that she has not noticed any positive improvements in his targets. Laura suggests some working strategies to assist Dan.

Dan complains to a colleague that Laura is bullying him.

Dan approaches Kim as a contact person.

Kim meets with Dan and asks him the key questions to establish the context of the situation. Dan also discusses that he doesn't think his colleague's performance is any better than his and he is going to approach some people in the team and ask them what their monthly meetings are like so he can prove he is being targeted.

Kim advises Dan that there are both formal and informal options for approaching this and talks through these with him. Dan states that he is going to make a formal complaint. Kim tells Dan that in the interim he should avoid contacting others in his team as this may make them uncomfortable.

Dan thanks Kim for her help and says he will submit his claim to his one up manager.

Dan speaks with his one up manager, Ciara, and submits a formal complaint. Ciara discusses the situation with an HR Advisor for their area who advises that they will need to interview both Dan and Laura.

Laura is provided with a copy of the complaint and is asked to attend a meeting to discuss this. In the meeting, Laura advises that she gains weekly reports on how the team is tracking to their targets so that she can ensure that the team is providing the appropriate level of service to the business. Laura said she reports on every member of her team and that Dan is the only one not currently meeting his targets and provides the reports to support this. Laura describes the actions she undertook to try and assist Dan in achieving his targets.

Ciara and HR review the statements from both Dan and Laura and the reports for the team and conclude that Dan's claims of bullying are unfounded. In the meeting held with Dan to outline their decision he states that he does not believe the reports and stands by his claims of bullying.

Afterwards Dan continues to complain to his colleagues whilst not addressing his performance. Eventually Dan's colleagues choose to avoid interactions with him and Laura undertakes a formal performance improvement process with him.

## 5.0 Support for contact people

### 5.1 HR Liaison

If you want to discuss a concern an employee has raised with someone from HR your first point of contact will be:

Stacey Korff  
Senior HR Advisor  
[HRLiaison@ccdhb.org.nz](mailto:HRLiaison@ccdhb.org.nz)  
Ext 5758

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Stacey may then put you in contact with an HR Advisor for the employee's area as appropriate.

If you are no longer able to be a contact person for any reason, please discuss this with Stacey.

It is important that we are able to understand your reasons for no longer feeling that being a contact person is right for you, so that we can address any themes that may arise and adjust our support or processes appropriately.

### 5.2 Employee Assistance Programme

The Employee Assistance Programme (EAP) is available should you need to speak confidentially with someone. They can be contacted on 0800 327 669 or you can visit the website [www.eapservices.co.nz](http://www.eapservices.co.nz)

### 5.3 Ongoing meetings for contact people

Your HR Liaison will hold regular group meetings for which you can submit questions and raise any concerns that you may have. Invitations will be sent to you prior to each meeting being held.

### 5.4 Additional Resources

[Worksafe NZ - Best practice guidelines for Preventing and Responding to Workplace Bullying](#)

[Worksafe NZ - Tools to support employers and employees](#)

[3DHB Code of Conduct](#)

# Appendix One

