

Well-Being Framework for the Home Office

Vision

To create a physical and cultural environment that promotes a state of physical and psychological health which allows employees to achieve their full potential for the benefit of themselves and the Department and supports the development of the Home Office as “A Great Place to Work”.

Aims

We will ensure we have in place a comprehensive programme of well-being support mechanisms and activities that will help us develop a safe working environment that actively assists our staff to maximise their physical and psychological health, improves staff engagement, reduces sickness absence and improves business performance.

Introduction

The Home Office is committed to the implementation of an over-arching Well-Being Framework covering HQ, UK Border Agency, Identity & Passport Service and the Criminal Records Bureau. The framework has been developed by a cross departmental working group and through consultation with the Trade Union Side and the Diversity networks. It will be supported by a range of activities that can be targeted to particular issues of concern and tailored to the needs of different parts of the Home Office.

Why we need a Well-Being Framework

One of the key aims under the Home Office People Strategy is to make the Home Office “A Great Place to Work”. The introduction of an overarching Well-Being Framework is an integral part of a range of initiatives we are taking to improve and highlight the overall staff package and make the Home Office an employer of choice.

The Framework enables the Department to:

- promote a proactive approach to improving staff health and well-being, presenting our current wide range of well-being activities under one banner;
- consider new targeted initiatives where they are most needed;
- support our Diversity strategy and promote Home Office values;
- improve our service delivery to Home Office customers through reduced sickness absence and improved staff engagement.

The activities promoted as part of this Framework will provide all employees with vital health and wellbeing advice and guidance and deliver - in a consistent and coherent manner - targeted and focused interventions to support sustainable and long term lifestyle behaviour change.

The Home Office, together with all Government Departments, is committed to improving well-being. Our approach is in line with the principles being promoted across the Civil Service by the Diversity, Health and Well-Being Strategy Team in the Cabinet Office. Our Well-Being Framework will work alongside our sickness absence policy and contribute to our ability to:

- Promote a healthy environment and culture;

- Effectively monitor, measure and understand attendance;
- Effectively manage absence when it happens.

Finally the Framework will demonstrate best practice, provide a framework for managers to help us avoid or minimise discrimination claims and will pave the way for any Departmental response to IIP UK, as they consider incorporating health and wellbeing at work into its standard in the future.

Taking forward Well-Being

This over-arching Well-Being Framework covers HQ as well as UKBA, IPS and CRB and will be used by each HOB member (and Chief Executive for CRB) and their senior teams to target the well-being issues most relevant to their part of the organisation and actively improve well-being in their area. All staff in the Home Office will work to support and embed well-being with different responsibilities being taken at different levels:

Staff – will be encouraged to take an active interest in departmental well-being activities and responsibility for improving their own well-being

Line managers at all levels– will be expected to encourage all staff to engage with well-being activities and that staff with identified health issues are given the health advice they need to improve their condition

HOB – will champion the importance of the Well-Being Framework and related activities in their areas and ensure Well-Being is included in their local People Plans

HR – will ensure the Well-Being Framework continues to align to the People Strategy and other HR policies and initiatives, will support well-being plans as part of local People Plans, promote a range of well-being activities through the Well-Being teams, work with Learning and Development colleagues to embed the HSE management standards into our Management gateway courses and monitor the impact of the Framework

Measures of Success

We will measure the success of the Home Office Well-Being Framework by Directorate on a 6 monthly basis using the following criteria:

- Senior management will be seen to take lead in the implementation of the Well-Being Framework into their Directorate by ensuring that well-being is included in Directorate People Plans.
- Improved line management capability to support staff to address health and well-being issues through wide range of well-being initiatives demonstrated by increased numbers of managers attending well-being related Management Gateway events.
- Reduced sick absence rates and a corresponding reduction in the cost of sick absence and a reduction in absence reasons for “stress” or “depression”.
- Reduction in the number of personal injury claims.
- Improved Staff Survey results in relation to staff perceptions and engagement
- Improved results in relation to Strategic Aim 3 of the Diversity Action Plan – “A working environment where staff respect and value each other’s diversity”.

Action Plans

The Framework will be taken forward by HOB members and their senior management teams supported by their HR Business Partners. HR will produce well-being scorecards that chart current position and progress against the well-being measures (above) at both Home Office HQ and Agency level. These will also be produced for each HQ Directorate and UKBA Region. These scorecards will be used by HOB, senior managers and HRBPs to determine how best to target well-being initiatives in their area, to produce a local action plan (based on the range of activities set out overleaf), and to monitor progress against measures on a six monthly basis. As part of embedding the Framework, HR will provide training to help managers at all levels to increase their understanding of their role as line

manager in promoting the well-being of their staff and the range of activities available to help them do this effectively.

Guidance on Managing the Risk Factors of Work-related Stress in the Home Office Headquarters and the UK Border Agency

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This guidance supports the policy on managing the risk factors or stressors of work-related stress in Home Office Headquarters and the UK Border Agency.

1. What is Stress?

1.1. The Health & Safety Executive (HSE) defines stress as *‘the adverse reaction people have to excessive pressure or other types of demand placed on them’*.

1.2. This makes an important distinction between pressure and stress. Pressure can be a positive state if managed correctly and can motivate and improve concentration levels. Stress, however, if not managed can be detrimental to health. Many people experience the day-to-day pressures of the modern world in trying to juggle a busy life with commitments at work and home. Stress is experienced when an individual perceives an imbalance between the demands placed upon them and their available resources. An individual’s resources include their ability to cope, the level of control they have over demands and the level of support available.

1.3. Suffering from stress is not a sign of weakness; stress is something that can affect any individual, at any time. It is a response by an individual when they feel they cannot cope. It can have a detrimental affect not only on our own well-being and happiness, but also on those around us. It is therefore important that line management and other staff are aware of what stress is, its causes and as far as possible are able to recognise when they or their colleagues may be in need of assistance. Examples of the possible symptoms and effects of stress can be found at Section 4.

2. What causes stress at work?

2.1. The HSE has developed a ‘Management Standards’ approach which identifies 6 key areas of work design that if not properly managed, are associated with poor health and a lack of well-being, and increased sickness absence.

2.2. The 6 primary sources of stress at work are:

Demands	Includes issues like workload (too much or too little), work patterns and the work environment (e.g. noise, temperature, and lighting)
Control	How much say the person has in the way they do their work
Support	Includes the encouragement, sponsorship and resources provided by the organisation, line management and colleagues
Relationships	Includes promoting positive working to avoid conflict and dealing with unacceptable behaviour and poor relations with managers or colleagues
Role	Whether people understand their role within the organisation and whether the organisation ensures that they do not have conflicting roles
Change	How organisational change (large or small) is managed and communicated in the organisation

2.3. For a more detailed description of possible interventions and workplace adjustments refer to [Annex A](#).

3. What causes stress outside of work?

3.1. Demands from day-to-day circumstances such as the following can lead to the experience of stress:

- relationship difficulties
- financial problems
- caring for children and elderly relatives
- managing general domestic tasks, and
- Illness

3.2. Major life events are also common causes and include:

- death of a close friend or relative
- marriage or civil partnership, relationship difficulties
- starting a family; and
- moving house

3.3. It is important to note that experiencing any of the events outlined above does not necessarily lead to stress. An individual's perception of the demands that such events place upon them, together with their assessment of their ability to cope, the amount of support they receive and the amount of control they have over the situation will be key.

3.4. It is also recognised that, due to the combination of influences at any one time, what may not be perceived as stressful at one time may cause a different reaction at another time.

4. The Symptoms of Stress

4.1. Stress affects people in different ways, which can make it difficult to recognise. However, there are some common reactions, which can be classified into four categories. These categories do sometimes overlap with each other:

Category	Possible Effect
Mental	<ul style="list-style-type: none"> • Difficulties in logical thinking and in making decisions • Reduced concentration, forgetfulness • Poor performance • Fatigue, lack of interest or motivation, withdrawal • Feeling undervalued
Physical	<ul style="list-style-type: none"> • Circulatory problems e.g. raised blood pressure and heart rate, sweating, trembling, chest pains • Digestive disorders, stomach/bowel problems • Immune functioning problems e.g. vulnerability to, and inability to fight off, infections • Muscular problems/tension e.g. upper limb disorders, lower back pain • Tension, headaches or migraines • Coughs/asthma, breathlessness, tiredness
Emotional	<ul style="list-style-type: none"> • Rapid changes in mood, anger, hostility, irritability, impatience • Depression, anxiety • Crying • Lack of confidence and low self-esteem
Behavioural	<ul style="list-style-type: none"> • Excessive or under eating and sleeping • Excess smoking or alcohol/drug abuse • Involvement in accidents/near misses at home or at work, high level of errors • Spending less time with family or on leisure pursuits

	<ul style="list-style-type: none"> • Over-sensitivity to criticism, aggression and irrational behaviour • Relationship problems
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5. Line/Duty Management Responsibility

5.1. Managers have a key role in the effective management of stress at work. **The day-to-day application of this policy is the responsibility of all managers** who need to be proactive in reducing and managing the risk factors of work-related stress in their area.

5.2. If however, a member of staff informs you that they are suffering from stress, managers must take action to identify the root causes of stress at work, and take reasonable and practicable action to remove or reduce it.

5.3. The Home Office is committed to training all managers in good management practice. Details are available from the Skills Delivery website (for Home Office staff) [here](#) and for UK Border Agency staff website [here](#).

5.4. Supported by the Chartered Institute of Personnel and Development (CIPD), the HSE and Investors In People, a team of occupational psychologists have drawn up the management competencies required to prevent and reduce stress at work. They complement and provide a basis for implementing the HSE Management Standards. In addition to the competencies required, the guidance provides examples of the management behaviours that reflect and are indicative of these competencies. You can download a copy of the 'Line Management Behaviour and stress at work' guidance from the CIPD website [here](#)

5.5. To assess how effective you are as a manager in demonstrating the required behaviours and preventing and reducing stress at work, you can complete the HSE 'Line Management Competency Indicator Tool' questionnaire. The aim of the questionnaire is to help you to reflect upon your own behaviour and management style, and identify any development needs you may have. You can access an electronic copy, or download a paper copy via the HSE website [here](#)

6. Managers – Proactive Risk Assessment and Monitoring

Background information

6.1. Proactive measures to prevent, eliminate or control the effects of work-related stress (so far as is reasonably practicable) are key to the successful management of the causes of work-related stress.

6.2. Risk Assessments can be undertaken on a department, section, task or team level; dependent on the circumstances. Individual risk assessments are usually reactive in nature; please see Section 7 for details.

6.3. The Health and Safety Executive (HSE) Management Standards (to be used for team or group Risk Assessments) The Management Standards for work-related stress use a risk assessment approach based on the HSE "Five steps to risk assessment". The Management Standards are based on a collective, proactive approach which research has shown has the most positive effect on workers' health. (Note: jobs are not expected to be risk assessed, because no job should itself be inherently stressful. It is the interaction of a person with their job, and their individual perceptions of this, that can result in stress.)

6.4. The Management Standards approach is looking for continuous improvement. It gives managers help to achieve this through risk assessment, allows measurement of current situations using surveys and other techniques, and promotes discussion with employees to help decide upon the practical improvements that can be made. Section 2 explains the 6

primary sources of stress at work. The Standards are designed to help simplify risk assessments for stress, encourage employers/managers to address work-related stress throughout the organisation and provide yardsticks by which organisations can gauge their performance in tackling the key causes of stress.

6.5. The HSE has developed an on-line tool which comprises a survey questionnaire (the Indicator Tool) and an Analysis Tool. The survey consists of 35 questions which ask about “working conditions” that are known to be potentials for work-related stress. These correspond to the 6 stressors of the Management Standards. The questionnaire can be distributed to staff to gain information for an organisational/team stress risk assessment. A link to the questionnaire is [here](#).

6.6. The completed surveys can be fed into an Excel spreadsheet (HSE Analysis Tool) that can be downloaded from the HSE website [here](#) which will analyse the results. The results will help to identify the key areas and levels of stress in your workplace. The overall results will not include any names of individuals or their grades in order to protect anonymity.

6.7. The results will be benchmarked against the top 20% of respondents in a nationwide survey to determine how organisations are performing in terms of managing work-related stress.

6.8. The information obtained from the indicator tool can be used with other information such as sickness data to form the basis of discussions with staff to identify the root causes of work-related stress and to develop practical solutions. These discussion groups (often called focus groups) may identify organisational and local issues.

6.9. Information from the discussion groups forms the basis of action plans for management to take forward.

6.10. More details on using the Management Standards are available on the HSE website [here](#).

6.11. Depending on the size of the survey you will need someone, or a team “steering group”, to take the process forward. This could include employees and employee representatives. Therefore before you start the process you need to obtain senior management commitment to progress the process.

6.12. For advice on undertaking a stress survey, using the HSE Stress Management Standards approach, contact one of the Wellbeing Advisers from the Health, Safety and Wellbeing Teams, using the contact details above.

6.13. For information on carrying out a stress risk assessment for an individual please see section 7.2.

6.14. Using the HSE indicator tool demonstrates good practice through risk assessment, allows measurement of the current situation by using surveys and other techniques and promotes active discussion with employees to help decide upon the practical improvements that can be made.

7. Managers – Reactive Action to take

7.1. The following points will help you in the management of the causes of work-related stress and help minimise its effect on your staff.

- Know your staff and be aware of the symptoms of stress (examples of these are in section 4) so you can recognise stress in your staff, and also in yourself, since if you are suffering from stress it is likely to impact upon those you manage.

- See Annex A for examples of possible interventions and reasonable workplace adjustments for individuals or a team to reduce the incidence of work-related stress.
- Encourage staff to discuss stress symptoms constructively.
- Listen to staff with an open mind and with respect. Remember to also respect confidentiality.
- Consider whether you should make yourself more available to staff. If staff become accustomed to seeing you on a more informal basis, they will feel able to approach you with their concerns.
- Ensure there is good communication between management and staff, particularly when there are organisational or procedural changes.
- Ensure staff have clear work objectives and understand what is expected of them. Provide timely and objective feedback.
- Ensure staff are fully trained to carry out their specific jobs. Ensuring that staff have the appropriate skills and abilities to carry out their work is important in preventing stress. Managers and staff should jointly identify learning and development needs through the use of the PDR system and informal discussions. Particular attention should be given to the training needs of: new recruits, staff whose role has changed, staff on promotion, staff whose performance is being managed, parental leave returners and staff returning from long-term sickness absence.
- Monitor working hours to ensure that staff are not consistently working long or short hours. For those staff that use the flexi-system managers should ensure that staff are not carrying over an excess of the time allowed.
- Consider options for flexible working arrangements. Further information on flexible working arrangements can be found on Horizon [here](#) in the Work Life Balance Section of the HR website.
- Monitor holidays to ensure that staff are taking their full entitlement.
- Monitor sickness absences, as an employee who is off sick on a number of occasions with illnesses such as persistent headaches, stomach disorders, exhaustion could be suffering from stress (see symptoms in Section 4).
- After a period of sickness absence use the return to work interview to discuss if there are any work-related issues that may have contributed to their ill health, or if there are any issues or mitigating circumstances you should be aware of as a manager.
- Ensure that bullying and harassment is not tolerated; familiarise yourself with the guidance provided on Horizon [here](#) on bullying and harassment on the HR pages.
- Encourage staff to seek support from Health and Welfare/Employee Assistance Programme (EAP), staff support groups or your union representative.
- Managers can also talk to Health and Welfare (prior to talking to their staff) to discuss what action can be taken.
- Offer additional support to staff, where possible, if they are experiencing stress outside work e.g. bereavement, relationship breakdown.
- Be alert to potential workplace risk factors that could potentially cause stress.

7.2. **An individual stress risk assessment** ([Annex C](#)) must be carried out for individuals:

- who are displaying symptoms of work-related stress,
- who report that they are suffering from work-related stress, or
- who are returning to work following absence with stress-related ill health. (In these circumstances it is advised that if possible the risk assessment should be

carried out when the individual is ready to return to work but before they actually return. This provides an opportunity to put agreed measures in place before the individual returns to work.)

- 7.3. Annexes B & C will facilitate a one-to-one meeting to develop an action plan to prevent a recurrence of ill health.
- 7.4. [Annex B](#) contains the questions used on the HSE indicator tool. These will help stimulate discussion between the individual and the manager to identify areas of concern.
- 7.5. [Annex C](#) must be used to record the areas of concern and the action plan that will be implemented.
- 7.6. Completion of a stress risk assessment will lead to an agreed action plan with appropriate timescales for remedial actions. Managers must make sure that the risk assessment is monitored regularly. For example it must be up to date, reflect the current situation, and include action points to be taken forward etc.
- 7.7. The agreed workplace interventions and reasonable adjustments must be managed locally to prevent the recurrence of symptoms in individuals.
- 7.8. In the event that you have problems completing a stress risk assessment form contact the Home Office Health, Safety and Wellbeing Team or your Health & Safety Liaison Officer.
- 7.9. **Procedure for carrying out an individual stress risk assessment.** If a member of staff informs you either verbally or in writing that they are experiencing stress action needs to be taken immediately as follows:

a) Meet with the member of staff and set time scales

- Arrange to meet with the employee to discuss the issue at a time and place that is agreed by both parties.
- The employee may request to be accompanied by a welfare officer, union representative or work colleague.

b) Explore the causes of stress

- Ask the employee what is causing the stress.
- If the employee states that their stress is due to work-related factors use Annex B to help identify the causes of stress. Annex A refers to examples of possible interventions and reasonable workplace adjustments.
- During the meeting do not pressurise the employee to disclose information they do not feel ready to discuss.

c) Develop an Action Plan

- Discuss with the employee what they feel may help reduce their stress levels and improve the situation.
- Develop an action plan with the employee to tackle the problems both in the short and long term. Record the action plan on the Stress Risk Assessment and Action plan form Annex C.
- Arrange with the employee the next meeting to review the action plan.
- Consider if it would be beneficial to seek professional medical advice at this stage with a referral to the Occupational Health Service via the local Human Resource Adviser (HRA).

d) Review the Action Plan

- After any interventions have been put in place, it is important to monitor and receive feedback from the employee to ensure that the interventions are effective.
- Decide with the employee how long the review period should last; this is often dependent on the stress factors and the needs of the individual.

8. Guidance if a member of staff is absent from work due to stress

8.1. If a member of staff has been signed off work by their GP with stress, the manager must follow the Attendance Management Policy in the Staff Handbook on Horizon [here](#) .

8.2. Managers also need to consider the following points for cases of stress:

- Home visits or contact (at the earliest opportunity) should be used to establish how an employee's recovery is progressing and their expected return to work, and to discuss any concerns the employee may have.
- It can be a good opportunity to discuss and identify the causes of stress. If the employee feels well enough a stress risk assessment could be undertaken or updated if one is already in use.
- Develop or review what action or support can be provided to the employee. For example the use of recuperative/restricted duties to ease a return to full duties may be appropriate.
- If an employee expresses concern at the prospect of such a visit, the line manager should be sensitive to these concerns and discuss the feasibility of making alternative arrangements; for example at an alternative location or a different method of contact. Personal contact between employer and employee is essential and the line manager and employee should agree how personal contact will be maintained.

9. Referral to the Occupational Health Services (OHS)

9.1. Managers should explain to the member of staff about the purpose of an OHS referral, asking staff to give their consent for referral. The Occupational Health Service can make recommendations with regards to possible reasonable adjustments which could be made in order to facilitate a return to work and reduce the effect of the causes of stress at work. These can include temporary and long-term adjustments to their normal work, for example a phased return to work. Referral to the Occupational Health Services is made via your local HRA.

10. Return to work from stress-related sick absence

10.1. At the earliest opportunity a return to work interview should be conducted between the line manager and member of staff to discuss any work or non-work-related issues anticipated now or in the future. If possible a risk assessment should be carried out when the individual is ready to return to work but before they actually return. This provides an opportunity to put agreed measures in place before the individual returns to work.

10.2. Once the individual has returned to work, it is important that their health is monitored. They should have management contact on a regular basis, and encouraged to talk to their manager, their colleagues, their Welfare Officer or a Trade Union representative about any of the issues or challenges they are facing. If the individual shows any signs of stress, or reports that there may be a recurrence of stress, early action must be taken to try

and avoid the situation arising again. The frequency of these meetings can be decreased as the person progresses with their rehabilitation.

10.3. A flow chart on the above procedure is at [Annex D](#).

11. Individual Responsibility

11.1. We all have a responsibility to look after ourselves at work and we must recognise that there is effective action we personally can take to manage stress.

12. All Staff – Action to take

12.1. If you feel you are experiencing stress at home/work or you feel you are unable to cope, discuss your concerns with your line manager at **the earliest opportunity**. Managers cannot take action to try and help you if they do not know you have a problem. If you cannot speak to your line manager about this speak to your countersigning manager or another manager in your area.

12.2. If it helps to set issues out beforehand in writing then do so. Explain how you are feeling, what factors you feel are creating stress for you and suggest what would help you. If the cause of stress is due to issues outside of work you do not need to disclose details about your personal life. However if you chose to do so your manager may be able to offer you support to ease the situation.

12.3. To assist you and your manager in identifying the causes (risk factors) and effects of stress you can complete the questionnaire at Annex B either on your own or with your line manager. These questions can be used as discussion points to help identify what is causing your work-related stress. Issues need to be discussed with your line manager. Discussing the findings with your manager enables the two of you to decide whether any changes need to be made to your work, or whether any other appropriate action needs to be taken.

- You may wish to seek support from the Employee Assistance Programme (EAP) with whom you can discuss your concerns in confidence.
- Support can also be sought from staff support network (click [here](#) for details) and your union representative.
- A Wellbeing Adviser or your Health and Safety Liaison Officer will be able to provide advice on carrying out a stress risk assessment (contact details available [here](#)).
- You should consult with your GP if you are worried about your health.
- If you have been signed off work by your GP you must follow the Attendance Management Policy and report your absence to your line manager as soon as possible. Staff must provide their line manager or another equivalent manager with reasons for absences and an indication of when you expect to return to work.

13. Support and Advice

13.1. Support and advice is available for all staff from:

- Employee Assistance Programme (click [here](#))
- Home Office Health, Safety and Wellbeing Team
- Health and Safety Liaison Officers/Health and Safety Officers (click [here](#))
- Trade Union Representatives and
- Staff support networks such as:
 - a;gender

- HODS
 - Spectrum; and
 - The Network
- (click [here](#) for details)

13.2. In addition managers may wish to seek support and advice from their local HRA.

14. Records

14.1. Once completed, all documented stress risk assessments must be either stored electronically or in hard copy.



14.2. Individual assessments must be kept in a strictly confidential file. (For staff working in the UK Border Agency documents should be kept in the individual's HR Management file.)

14.3. It is vital that these assessments are available for regular reviewing to ensure that agreed workplace control measures are working and reducing workplace stress levels. Without a structured evaluation and review process the stress assessment outcomes are likely to fail due to a lack of continued management action.

14.4. Regular contact with HRAs/Senior HRAs or HR Business Partners will facilitate storage, confidentiality and continued monitoring, evaluation and review. This contact with HR will also facilitate support, advice and referral for more specialist occupational health advice where this becomes necessary.

15. References

15.1. The following documents/websites provide additional general and specific guidance in addition to the information in this guidance:

HSE	Current information on The Management Standards and Work-related Stress is available on the HSE website www.hse.gov.uk/stress
HSE documents	<u>Tackling work-related stress : a managers guide</u>  [HSE publication] <u>Real solutions real people</u>  [HSE publication]
HO Bullying and Harassment policy	Link to Staff Handbook chapter 15 - Bullying, harassment and discrimination
Health and Safety website	Link to the Health, Safety and Wellbeing website – Health, Safety and Wellbeing website
EAP website (CiC)	Link to the CiC website here

Examples of possible interventions and reasonable workplace adjustments for individuals or a team to reduce incidents or work-related stress.

The following information can be used as a preventative measure and when considering individuals who are displaying possible symptoms of stress, or returning from sick absence related to stress. It also represents good management practice. It is broken down into the six Management Standards and is neither exhaustive nor prescriptive but to be used as a guide to assist you in looking at possible causes of stress in an individual or a team.

Demands

Includes issues like workload, work patterns and the work environment
<p>The Management Standard is that:</p> <ul style="list-style-type: none"> • employees indicate that they are able to cope with the demands of their job; and • systems are in place locally to respond to any individual concerns.

- Ensure there are sufficient resources to do the work allocated. If there are insufficient resources seek guidance from management about priorities. If adequate resources are not available ensure you give guidance to staff as to the priorities at an early stage.
- Prioritise tasks, cut out unnecessary work, let staff know what jobs are urgent and what are not urgent.
- Ensure individuals' skills are matched to the jobs.
- Provide training for those who need it.
- Use the skills of staff fully.
- Assess and consider adjustment of priorities or where possible arrange workload cover during periods of staff absence.
- Develop personal work plans to ensure staff know exactly what their job involves.
- Talk to your team regularly about what needs to be done because this can
 - help you understand the challenges the team are currently facing and any pressures they are under; and
 - find ways of sharing out the work sensibly and agreeing the way forward with your team.
- Put in place effective procedures to safeguard those engaged in lone working.

Control

How much say the person has in the way they do their work

The Management Standard is that:

- employees indicate that they are able to have a say about the way they do their work; and
 - systems are in place locally to respond to any individual concerns.
- Agree systems that enable staff to have a say over the way their work is organised and undertaken e.g. through project meetings, one-to-ones, performance reviews etc.
 - Hold regular discussion forums during the planning stage of projects to talk about the anticipated output and methods of working. Provide opportunities for discussion and input.
 - Talk about the way decisions are made – is there scope for more involvement?
 - Talk about the skills people have and if they believe they are able to use these to good effect. How else would they like to use their skills?
 - Encourage staff to participate in decision making.

Relationships

Includes promoting positive working to avoid conflict and dealing with unacceptable behaviour

The Management Standard is that:

- employees indicate that they are not subjected to unacceptable behaviours e.g. bullying; and
- systems are in place locally to respond to any individual concerns.

- Encourage good honest and open communication at all levels of your team.
- Provide opportunities for social interactions among workers.
- Provide support for staff who work in isolation.
- Create a culture where colleagues trust and encourage each other.
- Agree which behaviours are unacceptable and ensure that all staff are aware of these.
- Agree and implement procedures to prevent, or quickly resolve, conflict at work and communicate this to all staff.
- Encourage good communication and provide appropriate training to aid skill development e.g. listening skills, confidence building etc.
- Identify ways to celebrate success.
- Give staff recognition and reward when they have done a job well.

Change

How organisational change (large and small) is managed and communicated in the organisation

The Management Standard is that:

- employees indicate that the organisation engages them frequently when undergoing an organisational change, and
- systems are in place locally to respond to any individual concerns.

- Consult with staff at an early stage and throughout the change process.
- Where possible ensure staff are aware of why change is happening.
- Define and explain the key steps of the change.
- Give support where needed.
- Establish a system to communicate new developments quickly.
- Ensure that staff are aware of the impact of the change on their jobs.
- Provide a system to enable staff to comment and ask questions before, during and after the change.
- Have an 'open door' policy to help staff who want to talk to you about their concerns.
- Involve staff in discussions about how jobs might be developed and changed.
- Review unit and individual work plans after the change to ensure unit and individual objectives are clear.

Role

Whether people understand their role within the organisation and whether the organisation ensures that the person does not have conflicting roles

The Management Standard is that:

- employees indicate that they understand their role and responsibilities; and
- systems are in place locally to respond to any individual concerns.

- Ensure that employees have a clear job description.
- Display team/department targets and objectives to help clarify team/departmental and individual roles.
- Define work structures clearly so that all team members know who is doing what and why.
- Give all new members of staff a thorough induction to your organisation – make sure all members of the team understand the role and responsibilities of the new recruit.
- Define work objectives.
- Hold regular one-to-one meetings to ensure that individuals are clear about their role and know what is planned for the coming months.
- Hold team meetings to enable members of staff to clarify their role and to discuss any possible role conflicts.

Support

Includes the encouragement, sponsorship and resources provided by the organisations, line management and colleagues.

The Management Standard is that:

- employees indicate that they receive adequate information and support from their colleagues and superiors/managers; and
- systems are in place locally to respond to any individual concerns.

- Deal sensitively with staff experiencing problems at work.
- Deal sensitively with staff experiencing problems outside work.
- Ensure that staff receive sufficient training to undertake the core functions of their job.
- Provide constructive and supportive advice.
- Provide flexibility in work schedules where possible.
- Allow phased return to work after long-term sickness absence.
- Hold regular liaison/team meetings.
- Provide opportunities for career development.

Annex B

Questions taken from the HSE Indicator tool to facilitate discussion

	Questions	Never	Seldom	Some- times	Often	Alway s
1	I am clear what is expected of me at work					
2	I can decide when to take a break					
3	Different groups at work demand things from me that are hard to combine					
4	I know how to go about getting my job done					
5	I am subject to personal harassment in the form of unkind words or behaviour					
6	I have unachievable deadlines					
7	If work gets difficult, my colleagues will help me					
8	I am given supportive feedback on the work I do					
9	I have to work very intensively					
10	I have a say in my own work speed					
11	I am clear what my duties and responsibilities are					
12	I have to neglect some tasks because I have too much to do					
13	I am clear about the goals and objectives for my department					
14	There is friction or anger between colleagues					
15	I have a choice in deciding how I do my work					
16	I am unable to take sufficient breaks					
17	I understand how my works fits into the overall aim of the organisation					
18	I am pressured to work long hours					
1	I have a choice in					

	Questions	Never	Seldom	Some-times	Often	Always
9	deciding what I do at work					
20	I have to work very fast					
21	I am subject to bullying at work					
22	I have unrealistic time pressures					
23	I can rely on my line manager to help me out with a work problem					
24	I get help and support I need from colleagues					
25	I have some say over the way I work					
26	I have sufficient opportunities to question managers about change at work					
27	I receive the respect at work I deserve from my colleagues					
28	Staff are always consulted about change at work					
29	I can talk to my line manager about something that has upset or annoyed me about work					
30	My working time can be flexible					
31	My colleagues are willing to listen to my work-related problems					
32	When changes are made at work, I am clear how they will work out in practice					
33	I am supported through emotionally demanding work					
34	Relationships at work are strained					
35	My line manager encourages me at work					
36	Any other issues					

WORK-RELATED STRESS RISK ASSESSMENT & ACTION PLAN FORM

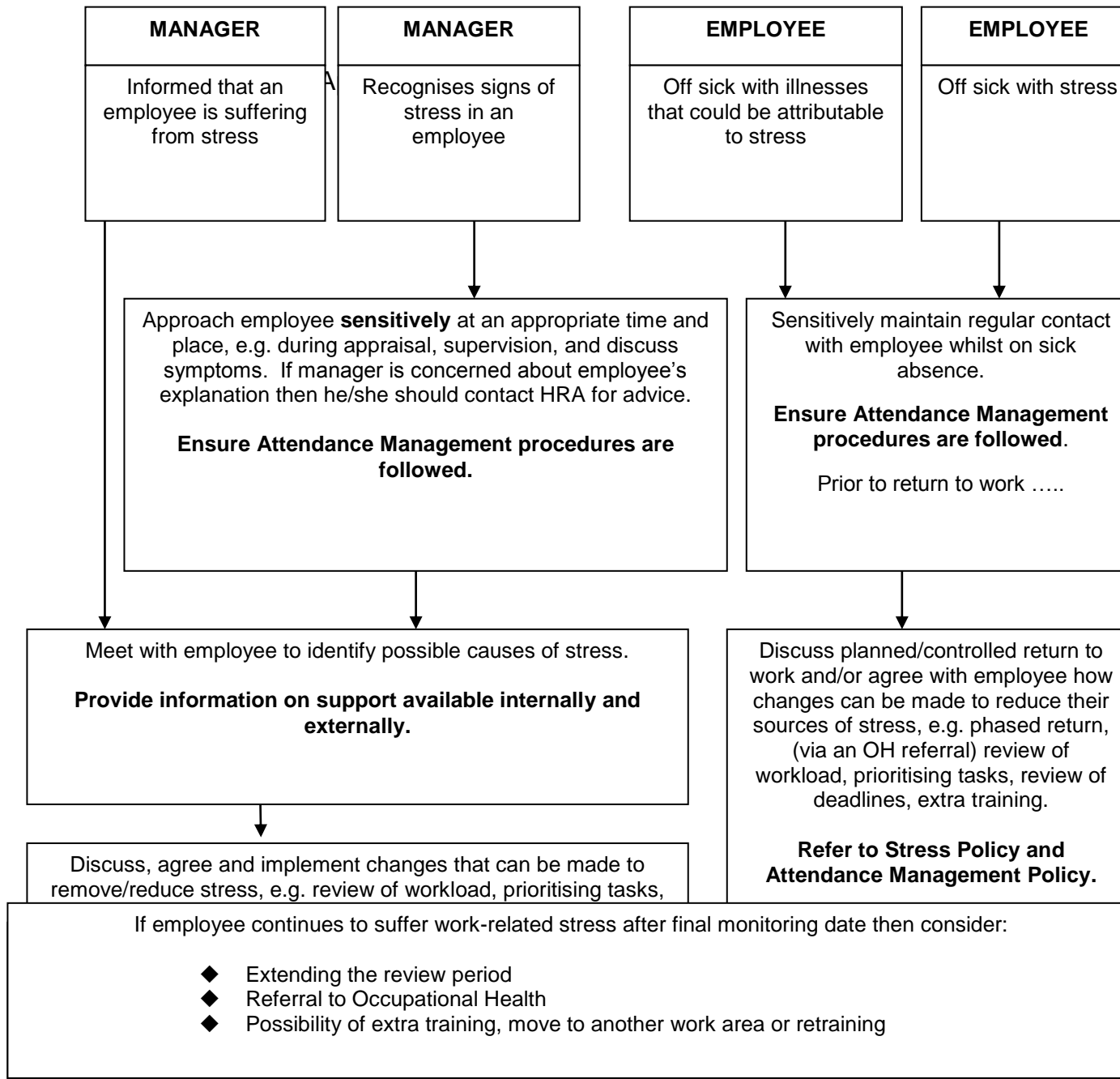
ASSESSMENT FOR (Individual/Task/Team/Section):		ASSESSMENT UNDERTAKEN BY:		
		POSITION HELD:		
SIGNED: (where individual)		SIGNED:		
DATE:		DATE:		
ASSESSMENT REVIEW DUE:				
	What are the causes (risk factors) of work related stress?	Action taken to remedy	Who is responsible for action?	Date to be completed by

A copy of this form, once completed and signed, should be retained by the individual and the manager. Where appropriate a copy should be passed to the HRA/SRA/Business Partner

Date Reviewed		By whom		Findings		Further action required	
Date Reviewed		By whom		Findings		Further action required	

Flow Chart Managing Stress in Individuals

Annex D



Stress policy

- Status: policy on managing the risk factors of work-related stress
- Applies to: Home Office HQ and the UK Border Agency
- Currency: Version 2

1) The Home Office (all references to the Home Office include the UK Border Agency) is committed to protecting the health, safety and welfare of its staff, and recognises the importance of identifying and reducing workplace risk factors or 'stressors'.

2) This notice provides policy on managing the risk factors of stress in the workplace for the reduction or elimination (so far as is reasonably practicable) of the causes of work-related stress, together with the provision of support for staff who may experience stress from any cause.

3) It applies to all staff regardless of grade or position. It sets our key primary responsibilities. Guidance for staff and line/duty managers in identifying, controlling and preventing stress in the workplace is available on the right under Related Links.

Scope

4) This policy applies to all staff in Home Office HQ and UK Border Agency.

Legal requirements

5) The law requires that the Home Office, as an employer, complies with the Health and Safety at Work etc. Act 1974. Section 2 (1) places a duty on every employer to ensure, so far as is reasonably practicable, the health, safety and welfare of all employees. To achieve this requirement the Home Office must identify the root causes of stress in the workplace and take reasonable and practicable steps to remove or reduce the causes of work-related stress.

6) Employers also have duties under the Management of Health and Safety at Work Regulations to assess the risk of stress-related ill health arising from work activities and to control those risks so far as is reasonably practicable.

What is stress?

7) Stress is defined by the Health and Safety Executive (HSE) as 'the adverse reaction people have to excessive pressure or other types of demand placed on them'. This makes an important distinction between pressure, which can be a positive state if managed correctly and stress which can be detrimental to health.

8) The HSE has developed a set of management standards that demonstrate good management practice to help prevent or reduce incidents of work-related stress. The management standards approach gives managers the help they need to achieve this. It demonstrates good practice through risk assessment; allows measures of the current situation using surveys and other data, and promotes active discussion with

employees to help decide upon the practical improvements that can be made. Good management practice and good management of work-related stress minimises the effects of stress not only for the individual but also for the organisation. Implementing the HSE management standards introduces a process of continuous improvement that is beneficial for the individual and for the organisation.

Responsibilities

The Home Office

9) The Home Office has a responsibility for tackling work-related stress and has worked in partnership with the Health and Safety Executive to manage the sources of work-related stress more effectively.

10) The Home Office, line/duty managers and all staff have a role to play in ensuring that as far as possible, work-related stress does not arise, or is appropriately managed when it does.

11) It is important that all staff understand that different people can tolerate different levels of perceived pressure or demands in their workplace and personal lives.

12) The Home Office is committed to training all managers in good management practice which will help managers to implement this policy. This policy for reducing work-related stress:

- provides guidance, information and instruction on good management practice
- provides a standardised procedure to identify and reduce the causes of work-related stress
- provides guidance and information on the causes, signs and symptoms of stress in yourself and in others
- provides information on confidential help for staff affected by stress caused by either work or external factors

Managers

13) Managers have a key role in the effective management of the risk factors of work-related stress at work. The day-to-day application of this policy is the responsibility of all managers who must be proactive in reducing the causes of work-related stress in their area.

14) This policy requires managers to:

- work towards identifying all workplace risk factors/stressors
- conduct and review risk assessments to eliminate stress or control the risk of stress
- take reasonable and practicable action to remove or reduce causes of stress
- provide adequate resources to enable the implementation of this policy
- attend training as requested in good management practice and health and safety
- ensure bullying and harassment is not tolerated within their area

- ensure good communication between management and staff, particularly where there are organisational changes
- ensure staff are fully trained to discharge their duties
- monitor workloads to ensure that people are not overloaded or under-tasked
- monitor working hours and overtime to ensure that staff are not working excessive hours
- ensure staff are taking their full leave entitlement

15) Once a manager is advised or suspects that a member of their staff is suffering from stress they must take action to identify the root causes of stress at work, and take reasonable and practicable action to remove or reduce it.

All staff

16) It is the responsibility of individuals to take reasonable care of their own health and safety while at work and that of others who may be affected by their acts or omissions. Individuals are often best placed to identify the signs of stress in themselves and to take action to minimise the impact of that stress.

17) If you feel you are experiencing stress at home/work or you feel you are unable to cope, discuss your concerns with your line manager at the earliest opportunity. If you cannot speak to your line manager about this speak to your countersigning manager or another manager in your area.

Guidance

18) Guidance to implement this policy is available.

19) Wellbeing strategy

The wellbeing strategy, launched in autumn 2009, supports managers and staff alike to promote their wellbeing and enhance their physical and psychological health. In this way, they can perform to the full extent of their abilities and achieve their full potential. As a result, a stressful environment is less likely to flourish and staff are more likely to be committed and engaged. To access a copy of the wellbeing framework, including example interventions to encourage and promote wellbeing, use the link 'Wellbeing framework'.

Advice and support on this policy

20) Advice and support is available for managers from:

- HR advisers
- the employee assistance programme
- wellbeing advisers – contact the Home Office health, safety and wellbeing team

21) Advice and support is available for all staff from:

- health and safety liaison officers/health and safety officers/advisers

- the employee assistance programme
- Home Office health, safety and wellbeing team
- trade union representatives

Resolution policy

- Status: Current policy
- Applies to: Headquarters and UK Border Agency
- Validity: January 1 2009 to July 2012

Important note

The resolution procedure applies to all complaints raised on or after January 1 2009. For complaints raised before this date, follow the former grievance, or bullying, harassment and discrimination procedures.

In brief

You must follow the resolution procedure where you have a concern, problem or complaint relating to any treatment you personally have received. This includes complaints of bullying, harassment and discrimination.

A link to the resolution procedure guidance is available under 'Related Links'.

Principles

- 1) The Home Office resolution policy and related procedural guidance are designed to ensure that any complaint (or 'grievance') can be resolved at the earliest possible stage. The formal resolution procedure aims to be a clear, fair and simple process for resolving issues that cannot be resolved informally.
- 2) This policy and related procedural guidance have been designed to follow ACAS (Advisory, Conciliation and Arbitration Service) best practice and also to adhere to the ACAS code of practice, which came into force in April 2009.
- 3) This policy also supports the Home Office value 'We treat everyone with respect'.

What it means in practice

- 4) This procedure should be used where you have a concern, problem or complaint relating to any treatment you personally have received. It is not for general complaints about departmental policies.
- 5) The procedure should be used for all complaints, including those of bullying, harassment and discrimination. The Home Office statement, available at the 'Resolution policy – Home Office statement ...' link under 'Related Links', clearly sets out the expectation we have that our members of staff are supportive of each other and treat each other with dignity and respect. This will underpin consideration of any complaint raised on these grounds.
- 6) The Home Office wants to ensure fairness and transparency in all matters relating to complaints raised by members of staff; however, the department will regard making a false, malicious or vexatious complaint as a serious disciplinary offence. Making a complaint as a means of detracting from proper management of performance, attendance or conduct will be regarded as a serious disciplinary offence.
- 7) We undertake to:
 - deal with complaints promptly and not unreasonably delay meetings, decisions or confirmation of those decisions
 - be fair and consistent in how we handle complaints

- arrange to carry out any necessary investigations to establish the facts of the case, and ensure that investigating officers are specifically trained whenever the complaint is about bullying, harassment or discrimination
- allow members of staff to be accompanied at any formal meeting
- allow members of staff to appeal against any formal decision made

8) You must:

- have tried to resolve the complaint informally in the first instance
- put your complaint in writing and use the formal hearing process only where necessary
- not unreasonably delay the process in any way
- not use the process to make any false, malicious or vexatious complaint, or to attempt to delay reasonable management practice

Contact point for all staff

- If you haven't found what you're looking for please contact the shared service centre.

This version of the policy incorporates staff handbook chapters 12 and 15.

The Resolution Procedure

GUIDANCE FOR STAFF AND MANAGERS

Note - this guidance is designed to be used in conjunction with the Home Office [Resolution Policy](#) statement.

1 GENERAL PRINCIPLES

Accessible - the resolution procedure is available to all members of staff

Simple and Transparent - it is a clear, fair and simple procedure, designed to resolve issues as quickly as possible

Proportionate - it is a procedure capable of finding the right solution for all types of complaint

Dignity at Work - the procedure upholds an individual's right to dignity at work including protection from bullying, harassment or discrimination. It also protects others from false, vexatious or malicious complaints

2 WHAT THE PROCEDURE IS FOR

Any member of staff who wishes to raise a complaint about any matter should be able to do so.

A formal process of complaint is difficult and stressful for everyone involved - in particular for the complainant and the subject of the complaint. It is in everyone's interests to resolve matters as quickly and as reasonably as possible. The resolution procedure is designed to achieve this.

The informal part of the procedure should be appropriate for most complaints and disagreements and we expect members of staff to try to resolve complaints by following the informal procedure in the first instance.

The formal part of the procedure should only be necessary where all attempts to resolve the matter informally have been exhausted without success and where the complainant remains dissatisfied with the outcome of the response he/she has been given.

3 INFORMAL RESOLUTION

The Department expects employees to make every effort to resolve complaints and disagreements, as far as it is reasonable, with the appropriate party before they turn to the formal stage of complaint.

This will allow all parties to resolve issues prior to the breakdown of relationships and in most cases will result in a better outcome without any unreasonable delay. Where the line manager is involved in the dispute then the matter should normally be raised with the countersigning manager.

Resolving a dispute may involve holding a meeting with each party in the first instance and then with all parties to agree actions to resolve the complaint. It may also involve mediation with a third party (see below for further information on mediation).

An informal complaints process has the following purposes:

- to provide an informal setting for the review of the issues surrounding the complaint;
- to provide a forum for the free exchange of concerns of both/all parties involved in the complaint;
- to promote communications for establishing better working relationships between the parties involved in the complaint;
- to resolve the complaint at an early stage, if at all possible, possibly through mediation.

How you should raise a complaint

You should in most cases firstly discuss the matter with your immediate line manager who will usually be in the best position to respond to the complaint and, hopefully, resolve it. (If the complaint concerns your immediate line manager, you should normally approach your countersigning manager; however in some cases this may need to be a suitable alternative manager.) In some cases the appropriate manager may be someone different, for instance the advertising manager where the matter is about a job-filling process.

When making a complaint, you should be clear from the start about the grounds for your complaint and as far as possible state what redress you are seeking.

What you should do as a manager when you receive a complaint

You should arrange the meeting with the member of staff as quickly as possible, normally within 5 working days, although in most cases a meeting could and should be arranged on the day or day after the complaint has been made.

Mediation

You should consider whether it would be a good idea to involve someone else in trying to help resolve the problem. This is called **mediation**. For instance, often the complaint will be based on a local issue within the team, or with neighbouring teams. If so, having met with the complainant, you should consider whether you need to consult with colleagues or a senior manager (maintaining the confidentiality of the complainant as far as possible) before perhaps arranging a meeting to address the issue, or issue a note to staff.

Mediation should always be considered to help resolve a problem and should be used as early as possible in the process, although all parties need to agree to participate. It is often the best way of solving the problem that has caused the complaint as quickly and as reasonably as possible. Agreeing to mediation does not mean that you cannot raise a formal complaint later on.

Where the complaint is of **bullying, harassment or discrimination** it may be that the person causing offence is unaware of the effect their behaviour is having. Where it is appropriate to do so, the person should be told that their behaviour is causing offence and they should be asked to stop. You may find it helpful to ask them to consider why they have been behaving in a way that has caused offence.

If this is not appropriate it is likely that seeking help from a trained mediator is the best solution. Mediation is particularly useful when it appears that perceptions of bullying,

harassment or discrimination may be based on misunderstanding. There is a trained pool of mediators who can be found by contacting the Wellbeing Advisory Team. [Health, safety and wellbeing; Mediation](#)

In serious cases of bullying, harassment and discrimination, consideration may need to be given to moving quickly to the formal stage of the process and seeking advice from an HR Adviser straight away. If the informal process is followed for more serious behaviour this does not mean that formal misconduct investigation and disciplinary procedures will not be followed where appropriate.

Meeting

When meeting a complainant you should consider the following:

- create the right environment for the discussion, perhaps going "off-site" or to another part of the building;
- ensure that you are not disturbed - e.g. mobile phones are turned off;
- be aware of the language you are using and at your own body language;
- listen carefully to what someone is saying and show interest;
- keep an open and impartial mind to what you are being told

Consider the options for resolution depending on the individual scenario, e.g.

- team meetings (e.g. where office "banter" is a problem);
- informal meetings with individual members of staff (e.g. someone has said something unintentionally hurtful);
- involvement of the Employee Assistance Programme (e.g. where the complainant has related problems outside work).

Where the issue appears to be potentially more serious and one of inappropriate behaviour (i.e. misconduct) or something which has been said or done (e.g. bullying), then it will usually be advisable to speak to an HR Adviser right from the start to get advice on how to proceed. For example, in some instances of misconduct, where criminal behaviour may have occurred, the matter may also need to be referred to the police. See further guidance on misconduct investigations and discipline at: [Misconduct](#)

What you should do as a complainant if you are not happy with the outcome of the informal process

If you are dissatisfied with the outcome of the response to an informal complaint, the manager who considered the complaint informally should remind you of the availability of the formal resolution procedure. The manager should go through the process with you carefully to see if the formal process is likely to resolve the problem and, if you believe it will, you will need to submit a formal written complaint in accordance with the formal resolution procedure (normally using the [template](#) at [Annex B](#).)

4 FORMAL RESOLUTION

The formal resolution procedure consists of three stages, including appeal.

Stage 1 – How to raise a formal complaint

- Complaints should be raised without unreasonable delay and in any case within 3 months of the incident that has caused concern
- Complaints should be submitted to the appropriate manager. For instance this may be your line manager, their manager if the complaint involves your line manager, or the advertising manager where the matter is about a job-filling process. Some complaints will need to be submitted to your line manager although they will need to seek advice from others (e.g. pay-related complaints).
- Formal complaints should be made in writing and should contain sufficient detail to allow proper consideration to take place. Where possible you should use the template. Although it is not mandatory to use this it should help you to be clear about your complaint from the start.
- Set out clearly – a) the problem or events, b) how you have tried to resolve this/these informally and c) what outcome you would like to see from this formal process

You must explain how you have attempted to resolve the issue informally in the first instance or if not, why not.

Stage 2 – How to resolve a formal complaint

Your manager (or, if appropriate, a suitable alternative manager) must invite you to a meeting to discuss the complaint within 10 working days of receipt. You must take all reasonable steps to attend this meeting.

You have the right to have a Trade Union representative or work colleague attend the meeting with you. However there is no right to be accompanied by any other person or to be legally represented. Where your colleague or representative cannot attend a first meeting you may choose an alternative date, but this date must be within 5 working days of the original meeting date.

The hearing manager or a designated note-taker will take a note of the meeting.

Any case involving allegations of **bullying, harassment or discrimination** must be referred to an HR Adviser straight away and will require an investigation by a trained independent investigator. An investigator will be appointed normally within 10 working days of receipt of your complaint. This investigator will be independent and will not have been involved previously in your case. The hearing manager will arrange to find an independent investigator.

How you should conduct a formal hearing if you are the manager

The meeting

You should keep a formal note of the meeting. (A suggested template is at Annex C.)

- Keep to the main points
- Write things down as the discussion progresses, read through with the complainant and re-phrase/ add any comments as necessary to ensure that you have understood and agreed the issues
- Ask if anyone else is complaining about the same issue
- Ask what steps the complainant has taken to resolve the matter informally
- Note down if there is any evidence to support the complaint, in particular anything you have seen at the meeting, or anything which does not support the complaint
- Confirm what resolution is sought by the complainant

- Note any suggestions you have made and whether the complainant is happy with these
- Note your decision about the complaint, the reasoning behind it and whether the complainant is happy with the decision
- Confirm what you have agreed and what actions will be taken
- Agree a date for trying to resolve the issue
- Give a copy of the note to the complainant after the meeting

Next steps:

You must send your formal decision letter to the complainant within a reasonable time. What is considered a reasonable time will vary from case to case but five working days is normally long enough.

If it is not possible to respond within five working days, for example where further investigation needs to take place, you should give an explanation for the delay and say when a response can be expected.

If **further investigation** is needed to allow you to reach a decision you will need to be clear whether an independent trained investigator is needed (i.e. for bullying, harassment or discrimination claims) or whether you can look into the matter further yourself. If you do need to question others yourself to verify anything you will need to do so both sensitively and by asking questions relevant and proportionate to the complaint. You will also need to maintain the confidentiality of the complainant as far as possible although clearly this may be difficult depending on the nature of the complaint and those involved.

Once you have made a decision your decision letter must:

- a) answer each point raised by the complainant, explaining what you have or have not accepted;
- b) explain the reasoning behind your decision.

Stage 3 – How to appeal against a decision you are not happy with

If you are not satisfied with the manager's response, you may appeal. An appeal can be made within 10 working days of written confirmation of the decision, setting out the reasons for the appeal. Normally this should be done in writing however a verbal appeal is acceptable. At this stage the manager immediately senior in the line management chain will deal with the matter although in some cases this may be a suitable alternative manager. (Where the first consideration has been by a SCS PB1 or above, the appeal route may be to another person of the same grade.)

The appeal manager will invite you to a meeting to discuss the complaint as soon as possible but normally within 10 working days of receipt of your appeal. You must take all reasonable steps to attend this meeting. You have the right to have a Trade Union representative or work colleague attend the meeting with you. However there is no right to be accompanied by any other person or to be legally represented. Where your colleague or representative cannot attend a first meeting you may choose an alternative date, but this date must be within 5 working days of the original meeting date.

The appeal manager will listen to what you have to say and discuss the matter in language that is open and helpful. The appeal manager will base their decision on all the evidence and

facts put forward and they should not be concerned about overturning a previous decision if that is the right decision or considering the need for further investigation.

After the meeting the appeal manager will give you a written final decision within a reasonable time (a sample letter is at Annex D). What is considered a reasonable time will vary from case to case but five working days is normally long enough. If it is not possible to respond within five working days, you should be given an explanation for the delay and told when a response can be expected.

The final decision letter:

- will answer each point you have raised, explaining what the appeal manager has/has not accepted; and
- will explain how the appeal manager came to their decision

This is the final stage of the resolution process

1. What happens if a complaint is based on performance reporting or other standard management actions?

The resolution procedure is not designed for members of staff to complain about normal management actions such as managing performance and attendance or to have re-consideration of grounds already considered under another appeal process. Although members of staff can raise a complaint about such matters under this procedure there is an onus on the complainant to first consider an existing resolution process e.g. an existing appeals process against a formal warning.

There will also be an onus on a complainant to prove in these cases that the actions taken by the line manager are beyond what can be considered reasonable line management action.

2. Can I raise a complaint while I am subject to disciplinary proceedings?

If your complaint relates to the disciplinary proceedings against you then, provided that you have submitted your complaint in writing prior to the appeal stage of those proceedings, your complaint will normally be considered within those proceedings rather than under the resolution procedure. If your complaint is unrelated to the relevant proceedings, then normally your complaint would be considered under the resolution procedure at the same time as the ongoing proceedings.

3. What if there is a complaint from a group of staff?

Where a complaint is shared by a group of staff the manager to whom the complaint has been addressed may wish to consider whether the complaints could be heard on a collective basis; however they should consult HR employee relations teams for advice straight away.

4. What about complaints raised when someone no longer works for us?

Former employees are able to raise complaints regarding their period of employment. If the Department was aware of the complaint before employment ended the standard resolution procedure should be used. Otherwise the modified procedure should be used.

The **modified procedure** consists of two steps. Firstly, the former employee must write to their former line manager explaining the nature of their complaint with as much detail as possible including their suggestions for resolution. If the complaint involves their former line manager it should be sent to the counter-signing manager. The second step is that the manager dealing with the complaint must respond in writing within a reasonable time and send it to the former employee.

You should seek advice from an HR Adviser for any such cases.

5. What if someone is away from work for a long period, e.g. sick or on maternity leave?

This will depend on all the circumstances and you should always seek advice from an HR Adviser in the first instance. However proceedings should not be unreasonably delayed. A manager may, for instance, ask to meet with each person periodically to see if there has been any change to circumstances or anything that can be done to help resolve the outstanding dispute.

6. Can I be victimised for raising a complaint?

Any employee who uses, or seeks to use, the resolution procedure **must not** be subject to victimisation as a result. This applies equally to anyone who may be a witness or who is accompanying someone who has raised a complaint.

Victimisation occurs where an employee is treated less favourably because they intend to instigate, or have instigated, a complaint, or have made or intend to make a complaint to an Employment Tribunal. This includes anyone who is giving evidence or information in connection with a complaint or legal proceedings, whether brought against the Department or against any other person.

In particular, employees submitting a complaint should not be moved from their current duties other than in exceptional circumstances or with their prior consent, and then only once the manager has taken advice from the HR Adviser.

7. What is a false, vexatious or malicious complaint and how is it dealt with?

A false complaint is one which is not true and where the person making the allegation knows it is not true. A vexatious complaint is one which is brought, regardless of its merits, solely to harass or subdue another person. A malicious complaint is one where the person making the allegation did not have reasonable grounds to make it and where the complaint was initiated or continued with an improper purpose.

The Department will regard making a false, vexatious or malicious complaint as a serious disciplinary offence. See further guidance on discipline at: [Misconduct](#) Line managers can obtain further help from their HR Adviser.

8. What is bullying?

Bullying is offensive, intimidating, malicious or insulting behaviour, an abuse of power or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. Some examples are: shouting at employees or other colleagues; personal insults; persistent and unjustified criticism; setting impossible deadlines.

9. What is harassment?

Harassment is unwanted conduct that has the purpose or effect of violating a person's dignity or creating a hostile, degrading, humiliating or offensive environment. Their perceptions count, but the person must be reasonable in what they regard as harassment. Some examples of possible harassment are: display or circulation of offensive material, including by e-mail or graffiti; offensive jokes or use of derogatory and slang words; intrusive questioning in a vetting process that cannot be justified – for example asking a gay colleague questions about their private life that are not asked of a straight person; unwelcome or mocking remarks or innuendo about a person's sex, sexual orientation, race or religion or belief or disability, repeatedly addressing or referring to someone who has undergone gender reassignment by their former name or gender.

10. What is discrimination?

Discrimination can be of a direct nature, for example: excluding employees of a certain sex, race or sexual orientation from jobs; excluding disabled employees from all jobs; refusing to promote a member of staff who is transsexual; failing to make a reasonable adjustment for a disabled member of staff.

It can also be of an indirect nature. Indirect discrimination occurs when a group is unjustifiably at a disadvantage in its ability to comply with a specific "requirement" or "condition". For example: requiring all employees to be clean shaven in the office may discriminate against Sikhs.

11. So what are the possible outcomes?

Complaints can be upheld in full, upheld in part, or not upheld. If they are upheld in full, or in part, the manager will propose a solution. The solution will depend on the circumstances of the case.

12. Can probationers use the resolution procedure?

Yes. Probationers can use the procedure in the same way as established employees.

13. Can agency staff or temporary staff use the resolution procedure?

Anyone employed directly by the Department can use the procedure - so if you are on a fixed term appointment and employed directly by the Home Office you can use the procedure. However if you are employed through an agency you will not be able to - you should raise any complaint with your own employer.

14. How should I keep records?

It is very important to keep records of any complaint, in particular notes of any meeting, as detailed above. Any documents relating to the case should be held in line with the Data Protection Act and held securely at all times. On no account should they be saved onto shared access folders. Copies should be kept on file according to current HR record management guidance, available for:

HQ: [Adelphi](#)

UKBA: [HR record management toolkit \(UKBA\)](#)

CRB: [HR record management toolkit \(CRB\)](#)

HR Advisers must be informed of all cases raised under the formal process.

15. Where can I get more help?

Members of staff can obtain help and advice from their trade union representative, a member of a staff support network (Spectrum, a:gender, HODS and the Network) or the [Employee assistance programme](#)

Line managers can obtain further help from their HR Adviser or from a Wellbeing Adviser.

FORM 1 - FORMAL RESOLUTION FORM

Employee's Name Job Title

Work Location.....

Date(s) issue occurred.....Date reported to line manager.....

Part A

Statement of Issues - use this part of the form to give full details of the nature of the issues /describe the issue needing attention (note if the issues are shared with others)

SPACE

Part B

Informal approach - Explain here briefly what steps you have taken to resolve the situation informally and why this hasn't been successful. (Have you tried to discuss this with your line manager? When? What resulted?)

SPACE

Part C

Supporting Evidence - list here any supporting documentation/evidence

SPACE

Part D

Proposed Resolution - What do you feel should be done to correct the condition? (If possible, you should suggest the resolution you are seeking (which must be within the power of the Department to secure).

SPACE

Date Signed

When completed, this part of the form should be sent to

Notes

1. **Include all the relevant facts of the issue and be as brief as possible. An additional sheet may be used if required.**
2. **If the issue is about an alleged breach of a contract or an agreement you should state the specific agreement or contract in question.**
3. **If the issue involves a third party then the name of the third party must be disclosed.**
4. **If there are any witnesses prepared to support the issue then they should be named.**
5. **Dates, where applicable, must be given.**
6. **Issues must be raised within 3 months of occurrence**

FORM 2 - RECORD OF MEETING HELD UNDER THE FORMAL RESOLUTION PROCEDURE

After the meeting a copy of this note will be given to the employee, a copy placed on the HR file (in UKBA) and one sent to the HR Adviser. (Time limit for completion is five working days after the day of meeting.)

Employee's Name	Hearing Manager.....
Job Title	Job Title.....
Work Location.....	Work Location.....

SUMMARY OF MEETING:

Meeting Date/Time:

Persons Attending:

Facts Discussed:

SPACE

Consideration and Decision of Hearing Manager:

SPACE

.....
Signature of Hearing Manager/Date

.....
Date Form Given/Sent to
Employee

Note:

- 1. Copy to Employee
- 2. Copy to HR file
- 3. Copy to HR Adviser

LETTER 1 - INVITATION TO ATTEND MEETING

Private and Confidential

Dear

I am writing to invite you to attend a meeting to discuss your complaint as set out on the formal resolution form (Annex B of the Resolution Procedure), which I received on [DATE].

The purpose of the meeting is to enable you to outline your complaint and the resolution you are seeking. I will inform you of my decision either at the meeting or shortly thereafter. The meeting is on [DATE] at [TIME] at [LOCATION]. Please let me know as soon as possible, or at least 3 days prior to the meeting, if you require any special arrangements or need any particular accommodation requirements to enable you to attend the meeting. [INSERT NAME OF (SENIOR) HR ADVISER] will be attending the meeting to advise on policy and process and to take the official note.

You have the right to be accompanied by your trade union representative or a work companion. Please inform me as soon as possible, or at least 3 working days prior to the meeting, if you intend to do so. Please note there is no right to be accompanied by any other person or to be legally represented. If you or your representative/companion cannot attend on the date specified you have the right to rearrange the meeting once, but only to a further 5 working days.

You should ensure that you are aware of the content of the Resolution procedure, which is available on Horizon at: <http://horizon.gws.qsi.gov.uk/portal/site/horizon-intranet/menuitem.5e9fdfa5b28a104a43757f10466b8a0c/?vgnnextoid=4a4618d3e51e3210VgnVCM2000003cb1a8c0RCRD>

I would also like to remind you of that telephone advice and counselling is available from the Employee Assistance Programme, CiC on freephone 0800 917 7395 or 020 7938 0883.

I am copying this letter to [INSERT NAME OF (SENIOR) HR ADVISER].

Yours sincerely

Name of Manager

LETTER 2 - OUTCOME OF RESOLUTION PROCESS

Private and Confidential

Dear

I am writing to update you on the position of your complaint under the Resolution procedure.

You raised the following issues:

1. e.g. what the incident was

I responded that.....

2. e.g. that someone had said....

I responded that.....

A) I can confirm that, after full consideration of the facts, I thought that and therefore my conclusions are

*insert details

I have therefore decided to

EITHER

Suggest the following solution [give details of the proposed course of action].

OR

Turn down your complaint for the following reasons [insert details].

OR

Partially uphold your complaint.

You may appeal against this decision. An appeal can be made within 10 working days of written confirmation of this decision, setting out the reasons for the appeal.

B) Unfortunately at this stage it is not possible to give full consideration to the evidence because:

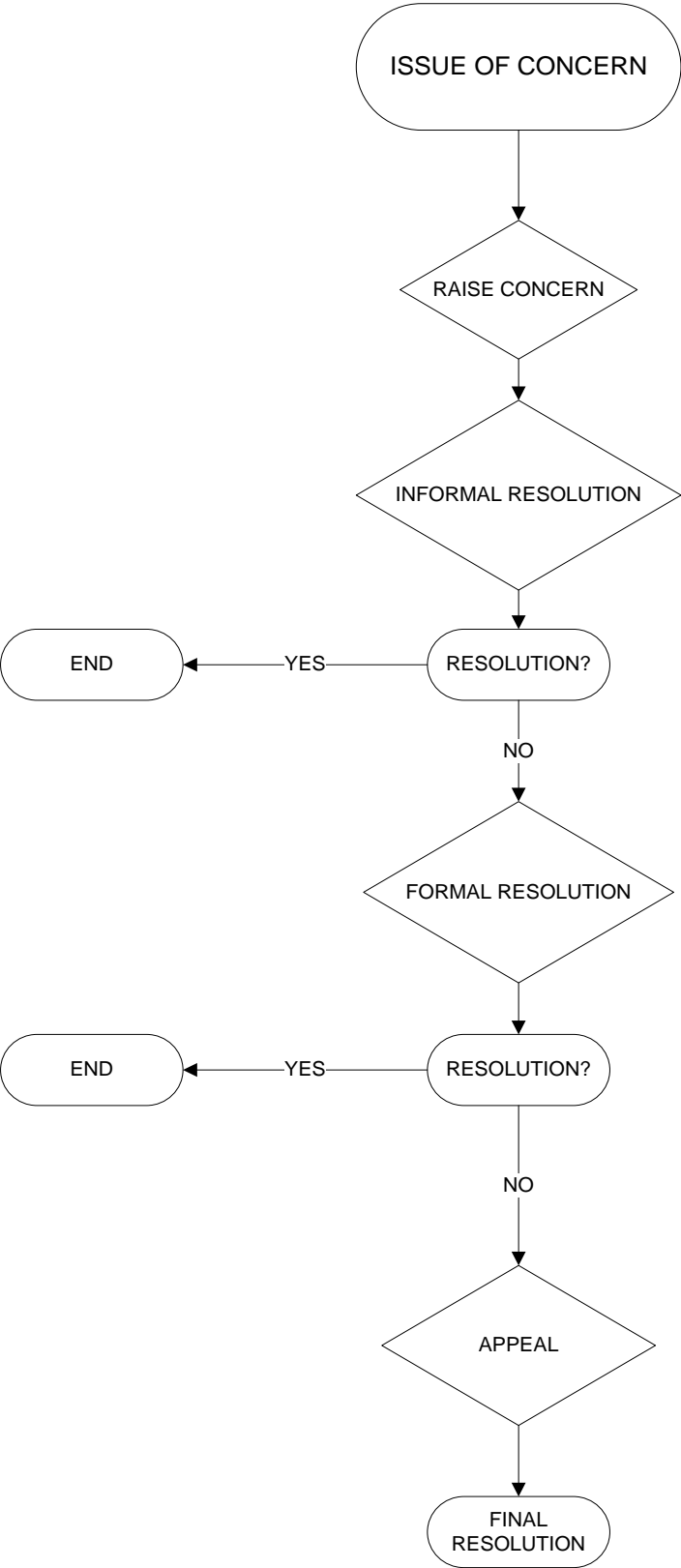
*insert reasons

I will write to you further.....

Yours sincerely

Name of Manager

RESOLUTION



Resolution policy – Home Office statement on bullying, harassment and discrimination

The Home Office values the diversity of its workforce and wishes to create and maintain a workplace based on mutual respect, dignity and support. All employees, secondees and agency staff are expected to uphold the Home Office values when carrying out their work.

The department will not tolerate any behaviour that is deemed to be bullying, harassment or discrimination.

All line managers who are aware of behaviour that may be deemed as bullying, harassment or discrimination have a duty to ensure that every available step is taken to address the issue appropriately.

Individuals found bullying, harassing or discriminating against colleagues are responsible for their own behaviour and the consequences of this behaviour.

Unacceptable behaviour can take many forms and can range from physical attack to more subtle conduct. It can include actions, jokes and suggestions that might create a stressful working environment. It can also include the production, distribution, display or communication and discussion of material that may give rise to offence. It includes behaviour which deliberately or even inadvertently excludes individuals from normal activities in the workplace.

Unacceptable behaviour also includes persons in authority using their position to bully, abuse or harass others, or assuming a threatening or intimidating management style, or carrying out practices and procedures that are deliberately or even potentially discriminatory.

If you are subject to, or witness, behaviour that you construe as bullying, harassment or discrimination, the resolution procedure should be followed.