



# THE 10 STEPS TO TAKE WHEN YOUR EMPLOYEE SAYS THEY'RE BEING BULLIED OR HARASSED

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For most employees, it is a big step to admit they're being bullied or harassed. Many employees would look for another job in preference to speaking out.

When an employee does speak up, your initial response will set the tone of the conversation. It will influence any subsequent actions or decisions they take. And will be the difference between a successful or unsuccessful resolution of the situation.

Let's look at the steps you can take to make sure your initial response is helpful, safe and sincere.



# Step 1: Acknowledge their complaint

Acknowledge their complaint and show that you take it seriously.

You may find one or more of the following responses useful:

- I recognize/acknowledge/understand that it's hard to speak up.
- Thank you for bringing this to me/telling me about this.
- I appreciate you trusting me enough to tell me about this.
- This is an important issue for me/the organization/the company.
- I will help you to resolve this if I can.

Offer them a glass of water to show you care. You could say, "I know this must be hard for you, so please take your time."

This will be an emotional discussion for your employee. Be prepared for periods of silence or tears as they tell their story.

# Step 2: Listen 'actively'

It's important that your employee feels your only priority is hearing them out. Make sure you're not distracted or preoccupied with other matters. Turn off the ringer on your phone.

Show that you are actively listening by using both verbal and non-verbal responses.

## Non-verbal responses

- Face your employee and lean forward a little (but not too much or it may be seen as aggressive).
- Adopt an open, warm posture (concerned face, legs and arms uncrossed.)
- Maintain soft, warm eye contact.
- Nod your head signaling 'yes, I understand', not necessarily 'I agree'.

## Semi-verbal responses

Make encouraging noises, eg 'mm', 'ah', 'uh-huh'. These all encourage your employee to continue.

## Verbal responses

### Paraphrase

Repeat back to your employee what you think was said but in your own words. This will reassure them that you understand – or sometimes that you didn't understand – so they can clarify what they meant.

## Reflect feelings

If you have detected a particular feeling in your employee, reflect it back to them.

For example, "It sounds like you feel hurt/angry/betrayed/let down/scared/vulnerable/excluded."

Test if you have properly understood or interpreted their feelings correctly.

Understanding their feelings shows that you empathize and will often lead to further disclosures.



# Step 3: A record of incidents

Ask the complainant if they have kept a record of the incidents which form the basis of their complaint.

If they haven't, say, "Would you be willing to write down what happened?"

Your employee may be wary of 'writing things down', thinking this elevates their complaint to formal.

It's a good idea to say, "When you write down what happened, it doesn't make a complaint formal. It just makes it easier to understand and address each allegation you make."

It can still be dealt with informally if that is your preference (not in the US\*).

If they struggle to write, you should write down what they say. To avoid making your employee uncomfortable about this, you could say:

"Would it be easier if I write down what you say and type it up later?"

"Let me read back to you what I wrote so that you can hear your words with my voice. I'm happy to change anything as we go through your story."

**\*NB:** In the US, employers are 'on notice' and required to investigate all complaints of harassment. Even if the employee states they don't want to make a formal complaint or don't want an investigation to occur.

Please download my second free report on how to carry out a formal investigation if you are based in the USA or UK.

## Summarize

At the end, summarize all that has been said to check if you have the whole picture.

Invite further contributions by asking open questions:

'Tell me more about...', 'How did that happen?'

## Step 4: Take your own notes

In addition to your employee's documentation, you should keep your own notes of your conversations. They should be factual and free of your opinion.

Your documentation will be vital if the claim is escalated to legal action.

## Step 5: Dealing with a reluctant complainant

A common approach from an employee who thinks they're being harassed or bullied is to say to you:

"I want to tell you about X, but I don't want you to do anything about it."

Agreeing not to do anything at this stage could put you in an awkward position, especially if they tell you about behavior that is a criminal offence.

It's a good idea to say, "I will keep what you say confidential unless you tell me something that is a criminal offence." (Incidents that are criminal offences are rare, so don't be too concerned.)

There is also the danger that, later on, your employee could make a formal complaint, saying, "I told my manager three months ago, and they did nothing about it."

To mitigate this concern, take a few minutes to discuss the steps they could choose. Help them understand the full process and the protection the organization provides.

## Step 6: Complainant refuses to take action

After discussing the options, your employee may still not want you to take any action. If so, you need to keep a record of this. After the meeting, write a summary of what was discussed and agreed.

Put this in an email and send it to your employee. Ask them to respond to your email by return if they disagree with anything in your summary.





# Step 7: Getting a productive outcome

When your employee seems adamant about you not taking action, you may feel your hands are tied. However, if they really didn't want you to do anything about their complaint, they wouldn't have said anything at all.

The comment is usually made because they're fearful of the consequences of speaking up. The fact that they've approached you and said something gives you a lead-in.

When it relates to harassment or bullying, you can reassure them by saying some of the following (not in the US, as stated on page 5).

- "I will only pursue your complaint if you agree for me to take it further."
- "Let me explain the different ways the organization/I could deal with your complaint, informally or formally."
- "After I've explained the process/different options open to you, you can go away and think about what you would like to do next."
- "I will do everything I can to ensure you are not victimized/penalized for speaking up."



# Step 8: What not to say or do

Let's look at the unhelpful comments or reactions you want to avoid.

## A personal challenge to the alleged recipient

- I think you're being over-sensitive.
- I find what you said hard to believe.
- You need to learn to take a joke.
- Your colleague X is the same race/religion/has a disability/gay or lesbian and they're not offended by (describe the behavior).

## Taking the side of, or defending the alleged perpetrator

- X wouldn't do that/say that.
- You've misinterpreted what X said.
- X is like that with everyone; it's just the way they are, they won't change.
- My advice would be to just keep out of X's way.  
X brings a lot of sales/funding/money/contracts into this organization so
- no-one will challenge his/her behavior.

## Doing nothing

Failure to act is often more damaging than an inadequate response. Avoid talking yourself into ignoring the issue by believing or saying:

- These things blow over if you just give them more time.
- It sounds like typical workplace banter to me.
- If you speak up, you'll be seen as a troublemaker.
- If I say anything to X, it will probably make things worse.
- It's your word against theirs.
- It would be better if you dealt with this yourself.
- Leave it with me (and then do nothing about it).



# Step 9: Consequences of inaction

If you mishandle the initial discussion, it's unlikely they'll take their complaint further. You may be relieved at their decision. Unfortunately, the issue hasn't gone away.

The alleged harasser or bully has not been challenged about their actions, so their behavior is likely to continue.

Let's look at what may happen next.

## Recipient leaves

Your employee will put up with it for a while longer, and it's likely to affect their work performance negatively.

Eventually, they will take action. This could be to ask for a transfer to another team, apply for another job internally or externally, or resign because they cannot tolerate the behavior any longer.

You've lost a good member of staff for all the wrong reasons.

## The recipient makes a formal complaint

Alternatively, the inappropriate behavior continues until the recipient has had enough. They side-step you and make a formal complaint to the business owner, senior manager, Human Resources or Trade Union Representative. An investigation is carried out.

It's likely the complainant will say you actively discouraged them from taking action when they raised their concerns earlier. This is victimization. You will probably be found responsible along with the perpetrator in any investigation.

# Step 10: Initial evaluation of the complaint

Once your employee has shared their complaint, you need to do a quick, initial analysis. Does the claim meet the standards of harassment or bullying?

If you decide the complaint is harassment or bullying, you should pursue the steps outlined in your harassment and bullying or grievance procedure.

If you conclude that their complaint does not fall within the definitions of harassment and bullying, discuss other ways of addressing their concerns.

