

Sexual Harassment: Routemap

31 January 2018
Phase1FN13/YY095

A complaint may be raised by staff in a variety of ways, including but not limited to:

Your line manager or senior manager

Directly to HR

To a Trade Union

To a nominated officer if whistleblowing

For ministerial issues – to senior manager, HR or TUs

To First Minister or Permanent Secretary

External routes:

Directly to police

To external party (EAP, for example)

HR triage / advise on appropriate policy

Subject of complaint:

If complaint is about a current employee

If complaint is about a contractor/temp member of staff

If complaint is about a former employee

If complaint is about a current Minister (NB sep procedure for FM – contact HR)

If complaint is about a former Minister

Roles / responsibilities:

HR will formally investigate any allegations of sexual harassment as a matter of serious misconduct under the conduct and discipline policy, irrespective of how it is raised

HR will support member of staff and alert contractor/temp employer to investigate through their procedures.

HR will support member of staff and fact-find with a view to discharging duty of care towards employee.

Permanent secretary will notify FM. Director of People will designate Senior Civil Servant to investigate and prepare report for Perm Sec. Permanent Secretary provides report to FM for action. FM to take decision as to sanction and Perm Sec to consider how to support staff

Permanent Secretary will notify FM. Director of People will designate Senior Civil Servant to investigate and prepare report for Perm Sec. Perm Sec will consider report and make recommendations.

Potential Outcomes if founded:

Action through conduct and discipline policy up to and including dismissal

Removal of contractor/temporary member of staff

Member of staff supported; duty of care discharged and wider organisational issues flagged.

Sanctions under ministerial code up to removal from office.

FM to take action if former minister within party, if not in party, relevant Party leader to be informed of outcome and take action.

Before raising a complaint, you may wish to discuss your situation with the above people to help you decide what you want to do next and what you what to happen. All complaints raised will be taken seriously and investigated appropriately, ensuring that duty of care towards staff is fulfilled but that **both parties are supported**. Where allegations are made by external parties (former employees or other) investigation will be carried out so far as is practicable in line with general approach above. If you witness inappropriate conduct, but are not affected personally you can raise your concerns through the individuals mentioned above.