

0:04

Good afternoon. My name is Angela Seach and I am a practice leader with Worklogic. I lead our practice in terms of leadership and culture. And I'd like to start by acknowledging the traditional owners of the land on which we meet today. I'm here on Wurundjeri country and I'd like to introduce my colleagues who are going to be sharing their wisdom today. Melanie Roberts, Melanie is our Practice Leader for mediation.

0:31

And, Mel, I understand your, Gadigal land today.

0:37

Yes, that's right. And Sydney, yes.

0:39

Welcome.

0:42

I'd also like to introduce Tanya ... who is a principal consultant with Work Logic. And I think Tanya, You are on Wurundjeri land as well

0:52

Yes, I am, thanks, ..., Hi, everyone, Hello, everybody.

0:58

Um, so today, we're going to be discussing what needs to happen in the aftermath of a complaint and the issues that tend to come up and the ways in which those issues can be effectively dealt with to restore the parties to a functional working relationship Now. Each of us on this panel today has expertise in different elements of this work, so, I will be drawing on our expertise to, hopefully, provide you with a comprehensive outline of the different issues that you'll need to contemplate and the treatments that are available to deal with those issues.

1:32

So, when a complaints made, I think it's important that we acknowledge that we often tend to focus on simply responding to the complaint, Marshall, I can, across the situation, we tend to focus on what is needed immediately to respond to what was happening in the, in the workplace, in that moment. But regardless of the outcome of a complaint, if it will, need to be made to restore relationships, whether it's between the parties that were directly involved, so, you know, the complainant and the respondent. Or, indeed, involving some of those parties who are drawn into the matter, such as witnesses, who need to be interviewed in an investigation, or, in fact, more broadly thinking about the relationship between those involved in the organization itself. Because sometimes those broader relationships can be seriously tested in an investigation process, in particular. So, the extent of the repair work that you'll need to contemplate really will be dependent on the complexity of the issues that you're confronting and largely to do with the formality of the intervention that has been implemented to respond to the complaint itself.

2:45

Obviously, if an investigation has been conducted and formal findings of fact have been made, there may also be disciplinary action required and this is an additional complicating factor. But in our experience, sometimes disciplinary action is the only thing that an organization will focus on once the investigation is done.

3:05

Well, that's understandable because managing the investigation and making decisions around discipline reaction are incredibly important and must be done with consideration and fairness.

3:18

There are, there are significant drain on resources, but they are only one part of the solution to the meta, usually restoring functional relationships after the fact is just as important.

3:30

And Tanya and I'll actually having a conversation about a really public example of how these things can go wrong. That has been in the media, certainly in Melbourne. In the last few days, because our ears are all still ringing from the the ground frame that occurred in Melbourne over the weekend. But the case, it relates to the Red Bull formula one team.

3:58

So for those of you who are unfamiliar, in February of this year, Christian Horner, who is the team principal at Red Bull, and it turns out, is married to Jerry Hayley, Well, who was a spa school for those old enough to remember? Denied allegations of inappropriate context. I'm showing my age there. I'm sure she's got other stuff since but I only know ours is Bosco. Christian Horner denied allegations of inappropriate conduct towards the female employee and was actually cleared of any wrongdoing following: an independent external investigation that was conducted by Red Bull. The parent company of Red Bull then subsequently announced that the met has had been investigated, and no further information would be publicly disclosed. Now on the face of it, the handling of the matter was reasonable. And it was straightforward.

4:50

Unfortunately the details of the allegations were then leaked to the media an anonymous source like whatsapp screenshots, which were allegedly between Horner and the employee to hundreds of people within the F one community.

5:06

It then was revealed that the complainant had been suspended by regular when we don't know why the complainant was suspended.

5:15

But then the confine it made a further complaint about Red Bulls handling off her complaint to the governing body of Formula one.

5:26

And over a month Lidar dismantled continues to be the subject of media coverage, including information continuing to be leaked to the media.

5:37

Some public comment trial that the matter was actually an example of internal issues being weaponized as part of a broader power struggle within the Red Bull team. Various drivers have publicly speculated about what happened and quite hopefully, you know, given their views about what should be done. And the story quite literally goes on and on, and he continues to be in the media.

6:03

It continues to cause harm to the people involved and really doesn't show signs of being contained in any meaningful way. So, obviously, this matters incredibly high profile. The respondent is a very public figure, and the stakes are pretty high. So, you know, I can hear the argument that it's not really a matter that's comparable to a situation in your average work-life workplace.

6:32

But I'd argue that although it's magnified, and the you know, the people involved have access to media, that you know you're averaging employee doesn't have.

6:44

It's actually following the same patterns that would occur in your regular workplace daddies.

6:49

This speculation is gossip. There's people who have phoned a view about what happened and whether the matter was dealt with properly, and they're using their own internal power, whatever that power is to promulgate their views about what happened and what happens.

7:06

And in the meantime, the situation itself, whilst it may have been appropriately resolved, continues to be to become more and more uncontained and more and more, difficult to manage as it has deeper and deeper consequences for all of the people involved. So, I think it's a really telling example of really what can go wrong if you're not thinking about the aftermath on it may be redeemed. But it doesn't appear to be the case from the outside, at least, that the ... have been facilitated to move on with their lives after the investigation.

7:46

And really, what we're seeing, is the equivalent of office office call gossip and office politics, just on a much bigger sky.

7:55

So, we've talked about, you know, in theory, that the extent of restoration that you need to do will, actually, depending on the complexity of the matter and the formality of the intervention. So, for today's purposes, we're going to make some assumptions, because there's any number of variables that we could consider here.

8:14

And the assumption that we're going to make is that we're dealing with a matter that has been the subject of a formal investigation, and that we're dealing with the aftermath of that. And we're going to be really looking at an approach to restoration.

8:31

And there's many different ways we could do that, but but we've chosen to take a fairly simple approach to it, which is to firstly start with looking at the key parties so the complainant and the respondent and thinking about what we need to do. We, then, for them, and then looking at the broader ripple effects, and the people caught up in those reports, so the broader team, and what we need to do to support them to move forward in a productive way.

8:59

So Now, as the Practice Leader for mediation, you do a lot of work in the mediation and facilitated discussion space. And suddenly, from my experience, I think most people tend to view mediation and facilitated discussion as a complaint resolution option, and absolutely, it eats. And we do a lot of work, and that's fine. But it can also be something that's done after an investigation.

9:27

Congratulations.

9:31

Absolutely. I think following an investigation really, you know, that's when you're gonna have to start to do some, some real work with those individuals, because invariably And, you

know, the working relationship between the two people that complain and the respondent will have been damaged. You know, you'll have one party who may feel they've been proven, right? And the other, who's no fail-safe, been proven wrong, might be a mix. But you know, unless some steps are taken to restore that relationship, then there's a real risk of long-term conflict. And obviously, a lot will depend on, what they're working Relationship is. Do they work closely together? Are they in different departments? Is it a reporting line? You know, there's a lot to consider but nonetheless, you know, bringing them together.

10:18

To enable them to explore the way in which they can agree to work in the future I think is really important. Look, this isn't an opportunity to rehash the investigation. That's not the purpose of a tool. They might show the impact that it had on each of them to help them reach a better understanding of where things are up, but the focus is very much future oriented. How are they going to work together going forward?

10:43

What is sort of, you know, the guidelines that, the rules, if you like, that they're going to, to determine their relationship?

10:51

Um, I just want to mention that, you know, an alternative to mediation, is, of course, a facilitated discussion.

10:58

Mock might involve, for example, a senior manager who might sit in the room together with complainant respondent to help agree the way in which they're going to work going forward.

11:09

All, perhaps, we'll have some sort of involvement in terms of input into what might be needed, but the actual facilitated discussion remains just between complainant and respondent. You know, it's very much about she'd just wanting to restore those relationships, because the last thing that you want is for the conflict. And, you know, look at the top team falling apart.

11:34

It may be that some of the witnesses that were called in the investigation may need to be involved in a facilitated discussion with one or other of the two main parties.

11:43

But we talk a little bit later about, you know, what to do if it's the whole team that's, you know, in a sort of crisis situation.

11:52

I'm just a question for you, and you know, How much information do you need to share with the the two parties about the reasons for the findings and the actions that will be taken or not taken?

12:09

Think that's a very difficult one, because, you know, different organizations will have, under their policies, different ways of doing it, Some do share the whole report, not many. Because obviously, this huge risks from Shine, the whole report, you might not necessarily want, either party should be reading everything that was, was such because that's just gonna add fuel to the fire. But.

12:34

This might just simply say, Investigation Completed, and that's clearly not enough information either.

12:40

So I think that it's really important that, you know, both parties notes completed, what finding swap.

12:46

And I do think there has to be some reasoning given for them to understand. Otherwise, it's very difficult to let go of something. If you don't know the why.

12:55

What do you think knowledge about that.

12:59

But, yeah, I was just, as you were talking, I was just reminded of a matter that I've recently completed, where I had to provide a summary document to the employer. Thankfully, they had a policy where they did not share the entire investigation report, and we certainly would not recommend that for any organization to, to, to have that, that policy. But what I was asked to do was to provide a summary of my findings effect and my reasons for those findings, and the difficulty with this particular one.

13:34

But it's a really good example of where finding that sweet spot of giving people enough information where they can be satisfied, that the matter was actually dealt with thoroughly and fairly. In order to move on, but not keeping them so much information that you actually make the relationship even more damage than it was before. Was this matter where I had essentially had to make credibility judgements about that?

13:59

The parties themselves, they weren't, it wasn't a lot of independent evidence that could be gathered to, to verify one perspective or the other.

14:10

But what did become fairly evident was that one of the parties, the complainant, in this case, became quite fixated on the respondent.

14:24

And started to view the respondent in, through quite a jaded lens.

14:30

So, everything that these responded deed came to be viewed by the complainant as being targeted at them when, in fact, it was, you know, no evidence that it was.

14:41

And a lot of evidence that it probably wasn't, and that this person was just going about their job, and had to provide certain feedback to this person, in order for them to actually be able to perform their role effectively.

14:55

And so, in the summary, I had to be quite careful about how I characterized my assessment of the complainant's evidence, because either Padi hearing that was not going to be helpful for moving also. It's a tricky one, yeah. For sure.

15:18

Yeah, You get that balance yet you do, otherwise it will just lead to further issues when people don't understand.

15:26

So following the investigation we've talked obviously about mediations and facilitate discussions, but there are no other developmental intervention such as conflict coaching and leader leadership and management coaching, Tanya, your conflict coach experts do you want to talk through and explain, you know, how, how you would use that post and investigation?

15:49

Yeah, I think the thing about conflict coaching is, it is, after an investigation, it can be quite useful because it really does focus on the conflict, you know, that has arisen between the parties.

16:02

But it's a little bit different than then other sorts of coaching or other sorts of, you know, broader management or leadership.

16:12

Coaching. In that, in that focus. But it does require each party to sort of step back from the conflict and the person to really focus on what their role is. It's not about blaming the other party.

16:25

And this is why it can work quite well, as, you know, a repair thing, because it is about thinking about what's led me to the conflict Y by reacted the way that I've reacted. It's all about examining your own personal kind of values and triggers.

16:42

Rather than sort of saying, Yeah, but, you know, you get rid of that finger pointing, they did this, I did that.

16:49

So I think that's, that's the real important part about conflict coaching.

16:54

It does require, you know, parties to really engage and be self-aware, so it's not going to be work for everyone, but I think it when you do have people that really are wanting, or you have an organization where they really want to focus on repairing the relationship and making sure that people can continue to work together. I think it can give people a lot of insight. And I don't usually tell people, You know, I don't wouldn't go into conflict coaching saying this is a good model for any kind of conflict that you have. So it can be useful in other areas, you know, with teenagers with partners, with your grumpy neighbor down the road, you know, anything like that as well.

17:29

Yeah, And I think the other thing about no conflict coaching is it can really frame it for people around. it's really about personal development. You know?

17:40

It doesn't have to be, I don't know, reframe it in a negative way. I always frame it in. The way of this is an opportunity for you to learn and grow and develop. And I think it's a good, it can be a good piece, too, As part of that broader leadership and management coaching.

17:56

Yeah, yeah, good point. Yeah.

17:58

Yeah, look, I think it's a really useful component of leadership and management, coaching, and particularly in those circumstances way. And this is a pretty common one way. You

know, we, we see this quite a lot. There's been a bullying complaint made by an employee against their manager.

18:21

The manager says, Well, no, I was managing performance. And there was underperformance.

18:26

And I was simply, you know, pointing out arrows, you know, whatever.

18:32

And, in, and you find that the investigator, that the conduct was not unreasonable. The managers conduct, well, it's not unreasonable.

18:41

But, as we know, and I can say you're both naughty, the range of behaviors that can be can still considered reasonable, is pretty significant, and includes behavior. That is a long way short of ideal.

18:56

So I think the kind of conversation that needs to be finding this actually with a number of coaching clients that I have at the moment where there's a kind of a sense that if the allegation Watson was not substantiate, if it means I didn't do anything wrong, when, in fact, the reality is, OK, yeah, you conduct might not have reached the level of severity to warrant a finding against you.

19:24

But it, you know, there's a lot of improvement that can be made here, So that you don't find yourself in this situation, again.

19:33

And so, you know, as a part of a kind of a coaching program, which develops leadership capability, I think conflict coaching is incredibly powerful, because he does really focusing on that reflection of self and how you show up as a leader. At Mel, and I think, you know, I'd be interested in your perspective on these two. I think I suspect conflict coaching can be a very, very useful, leading to mediation where there's been a really deeply entrenched difficult conflict.

20:06

Is that would that be right? Absolutely.

20:09

Yeah, it is. And in fact, I think most of us who are mediators, logic are also conflict coaches. So, we do tend to use it in those one-on-one sessions that we have with each party, and in helping prepare them to come together with the other one. In a joint session. So, you know, you spend time with that person, helping them examine as, as Tanya said, you know, what was the triggers for them? You know, from that perspective. And then you have them start to examine it from the other person's perspective. and not just really tells the system when they come together in a mediation, to to reach far, more easily, quicker with more, understanding, some sort of an agreement.

20:51

Or you can have it as a standalone, you know, you could have a standalone conflict coaching, and then a mediation. So, you know, there's all sorts of different ways in which we can use it.

21:00

Yeah, that's, that's really great, Mel, and thank you for that overview. And I think one of the things that stands out, for me, of the things that, that you, both, in fact, have sit here.

21:12

And I think it probably goes to, sometimes the reticence that we see with employers in terms of implementing these sorts of interventions after an investigation. And what I hear sometimes from employers is that, well, we don't want to re-open the Madoff. We've done this investigation. It's, it's been really hard on everybody. And seriously, you are you suggesting that we give another forum for these matters, to be prosecuted again? And what I'm hearing from both of you is actually no, that is not what these post post investigation interventions are about actual.

21:53

And whilst there might be some kind of I guess view or intention of the parties involved to use that use these interventions as a forum to continue to prosecute their view of the matter.

22:07

You know, a skilled facilitator will actually bring them around to the name that focuses on moving forward rather than continuing to future. Certainly. Yeah, yeah, yeah.

22:23

Thank, smell. That's great.

22:25

So.

22:28

Oh, I guess the next point to make is that you can do all of this incredible, incredible work with the two parties involved, but as we saw from our Red Bull example, potentially, that all of that work can be very easily undone or undermined if thought is not given to the broader team. And bringing that team back together.

22:54

So Tanya, I really would like to hear from you about the sorts of things that need to be considered when we're thinking about restoring the broader team, and the types of interventions that you think are useful in that regard.

23:12

Well, I think it is really important, and to, you know, support the people, particularly the parties that have been involved, the team more broadly.

23:21

But starting with the parties that have involved involved in the investigation, you know, there may have been witnesses that have been asked, called upon to give evidence. And often in that phase of you know, contradictory evidence where you're testing the evidence, you've had to go back to complainants respondents and, You know, sometimes what witnesses have told you is not what they complain at. A respondent has said that they thought that they were going to talk.

23:46

They disagreed with the perspective or facts of what has happened so that those relationships to it can be effected within a team Because, I think, the Red Bull example is such a great one because, you can see how, you know, factions very quickly form and, no matter how much we stress confidentiality and not discussing things in the office. It's very rare. I mean, it does happen. I'm sure we've had that occasionally, where somebody said to you, I had no idea

there was anything going on, but it's pretty rare that you speak to a witness in an investigation, and there they had no idea that there was any sort of, but nothing.

24:25

Nothing was happening, so I think, you know, it is important to make sure that you're closing off those things.

24:32

And that it doesn't become Grist for the rumor mill.

24:35

I think, you know, you have to look at what are the potential relationship issues that have arisen and, you know, maybe there needs to be facilitated discussions between the broader team or between the witnesses, and what are no more of the parties?

24:52

I guess now, you've done, I know you've done training in a team based restorative process. What, what does that look like, and can you sort of tell us about when you would use that process after an investigation?

25:06

Sure, as you say, can be used often investigation. I do just want to stress that you can use this sort of restorative process to assisted team when they've been impacted by any kind of incident, or an ongoing situation. So it could be used because of a restructure, or someone's leaving or or a custom funding, you know, any incident that's a car that has impacted, you, know, a team or group of people. And obviously, it's very relevant to post an investigation. So, this is where there's an acknowledgement that people have been affected, by the investigation. They have a common interest in, in such things, right, and they want to, you know, promote well-being. So, the process is similar to mediation and a facilitated conversation in that it's about addressing home, wanting to reset relations. It's like mediation of, facilitate discussion.

25:57

It's not about looking for someone to be at fault. Not at all. It's just about bringing everyone together, and this is a sequence of events that everyone's taken through, to hear what happened.

26:08

How is everyone being affected, and how do we go about improving the situation?

26:13

So, as I said, you take people through these stages, um, so that they can develop a common understanding about what happened.

26:21

So, it's very much about a narrative structure, Then around, well, how was each person impacted and affected by it, and then you reach to, OK, how are we going to repair the home? How are we going to reduce the risk of further harm? You know, how to reset relations, right? And that's great.

26:38

You come up with solutions, called the way forward.

26:42

Yeah.

26:43

Um, and I think, you know, this is where we've talked about that, careful planning and implementation, about who's going to be told what someone's just asked a question about, you know, how do you handle rumors and chatter across the broader team given the limits of what can be shared?

26:58

And I think, you know, that is an important example of the Red Bowl, important takeaway.

27:06

That we don't know what was shared, but however it was shared or wherever it was shared, it happens, hasn't done anything.

27:13

Get rid of that chatter. It's just sort of, you know, throwing fuel on the fire.

27:18

So, if, No, I think, now, what would you suggest that, maybe to address, things like that? Obviously, there are limits, but is it something that you would discuss with the parties in a mediation, or a restorative process about what do we tell people, if they ask us? Yeah, that's, I think, Tony, I think that's a really good idea to have people in a mediation, or indeed, in this sort of restorative process involving a whole chain. If you'd like to go, OK, what are we going to talk to people in the organization.

27:48

Because people aren't going to ask questions, and Let's all get on the same page about the message that we're going to deliver here.

27:55

You have to say something, because it's when you say nothing. The kind of no comment that that leads to, to, you know, the gossip. You've got to come up with something that nobody has the right to know the ins, and outs.

28:06

So, yes, certainly can be part of what they agree is, well, what are we going to say? What's, what's our message when we're asked?

28:14

If you can show up the code of conduct, I mean, there's all sorts of policies around here, breaching confidentiality, et cetera, but certainly they could come up with some sort of message they want to get.

28:27

Mmm, hmm, Ah, who comes just going to say, you know, as sure as night follows day, nature abhors a vacuum.

28:39

And if, if something's not said, the space will be filled, so the question is, how is both going to be filled And it's going to be filled in a way that's productive and helpful. Yeah.

28:50

And I guess the other thing is, you know, after the investigation and after you've conducted these other processes, this might be the time when your thinking about, you know, what's revisiting, kind of our employee training on what's appropriate workplace behavior, What are our organizational values?

29:10

You know, when there are limits about what can be shared, you can sort of talk to people and say, You know, Remember, we have values around what we, how we behave in the workplace and in a lot of codes of conduct gossip is specifically mentioned, you know, as as something that is destructive.

29:29

And that needs to be addressed. And something, it's not usually a value that anyone has as part of their values, but, you know, how did that impact collaboration, and it's just having those conversations, or do we need to revisit our training? Do we need to do some training to remind everybody about what, what are our values? What is the appropriate?

29:53

No way that we behave in the workplace? Do we not have that leaders?

29:55

Do we need to do a values refreshes the time that we sort of think about, what's our broader team culture, are there things that could have been a factor, and the dynamics that result this complaint.

30:09

You know, for example, is it common that someone might have, you know, if the manager acting on complaints that other had other people have been bringing up to them?

30:20

It is common in a bullying complaint, where, you know, people will say, Oh, well, but other people have enjoyed this as well.

30:28

And I'm just, no, finally, I'm the person who's speaking up.

30:32

And, I think, often, when you ask people about that, in those kinds of investigations, people will say, if you say, well, you know, have you ever mentioned it to the person?

30:41

Has anyone else ever told them that they found that conduct inappropriate, You know, has anyone spoken up?

30:47

And I think, often they happen, You know, people say, Oh, we've all just sort of accepted this as Bill, or this is Joe, and I think that's, again, you know, good time for training about appropriate workplace behavior. Also, training around, you know, giving and receiving feedback.

31:02

We do training in that difficult conversation.

31:07

Standard training. Those might all be things that you might think about in the workplace, where you need to give our, our workforce some more skills in how we address this behavior at the front end, so we don't find ourselves, you know, addressing it at the end of the investigation.

31:23

I think those are all different, different ways we can do it. What do you, what do you think ends?

31:29

Yeah, look, I think you both know how often I bang on about prevention rather than cure. It, once you are, you are in a position, where you're dealing with a, you know, a formal complaints, you absolutely need to take the time to reflect on what are the causal factors for, for how we got here. And it may be that, you know, all of those things that you've just talked about, turnaround values and standards of behaviors and all the rest of it, but they might be absent. And if that's the case, then, you really do need to think about establishing clear guidelines for your people about the standards of conduct. that are required.

32:12

And, you need to build their capability in, relation to, yeah, speaking up, when they've got a concern.

32:21

And doing it in a way that is productive and helpful, And, as we see, more and more, the, the, you know, the recent changes to the, to the sexual harassment *** discrimination legislation is a really good example of the increasing onus on employers to take preventative action, to prevent these sorts of behaviors from occurring in the first place. And so, we've been having a lot of conversations about this, haven't we, in our, in, our, in, our work around. So, how do you support a? How do you support employers to prevent sexual harassment in the guidelines and standards, and all the rest of it, and they're all great.

33:02

But, you know, what it comes down to is, whether it's bullying, whether it's sexual harassment, whether it's racism, or other forms of inappropriate conduct in your workplace, being really clear with people about what you will or won't tolerate.

33:17

And what you expect of them is incredibly powerful, Far more powerful than no good intervention after the fact.

33:28

So, I think, you know, focused on prevention, focused on setting standards, focused on building capability of your people to deal with issues as, and when they present it, and building their capacity to do that is, it's really important.

33:45

The other thing that I know I also know a lot about, a lot, is having really nuanced complaint management systems.

33:55

So having lots of different tools and resources available to you as the employer hello, to respond to a complaint.

34:06

So that's making it really clear, for example, that, uh, whilst a person may make a complaint, it is for the employer to determine how that complaint will be dealt with.

34:18

And to take action as each sees fit in response to that complaint, meaning that you may say to the to the people involved.

34:29

In fact, this, you know, yes, you clearly are grieved by this matter bot.

34:34

In reality, this is even if this conduct was no substantiated, it's unlikely to amount to serious misconduct and therefore, we are going to implement a mediation process. If your policies and procedures actually don't allow you that flexibility, then that's problematic for you and will cause you significant issues in terms of managing behavior.

34:53

So I'll be suggesting, have a look at your policies and procedures, have a look at the, you know, the extent to which you invest in prevention rather than fewer and have a really good triaging process. That's the thing I'm going to really go back to.

35:14

Yeah, that triaging piece is that I know that's something that you are particularly passionate about. Yeah.

35:23

Yeah, because I know, quite frankly, and I speak on behalf of all of us here when I say it doesn't matter how good an investigator you are. It doesn't matter how good a mediator you are. If you are employed to implement the wrong process, it's not going to work very well.

35:39

So you really need to be making conscious and mindful decisions about how you are going to resolve a complaint and choosing the right option for that matter.

35:53

To set it up for success. So, yeah, triaging is something that I feel very strongly about.

36:01

You know, that's a training as well that, you know if you feel that's something that, you know, you need, more guidelines about how to triage or you think that that would be helpful because even just the practicing of how to, you know how to deal with a complaint.

36:17

And making sure that I think that's the other piece about triage and is that making sure that the complainant knows that it's up to the organization to really decide in having those policies and procedures that allow you to do that.

36:33

Now, in terms of supporting a team to come back together, have you, what do you think about, you know, a team charter that comes out of a facilitated discussion.

36:44

Is that a way that you can kind of draw a line, a line under something and give you a process or a way to move forward?

36:54

Sure. I mean, that that may be something that will come out and facilitate discussion, or indeed, one of the, you know, the restorative process that I talked about. If that's what the parties want to do, You can also run, you know, some training in a workshop where you specifically have as part of, perhaps some training in the morning and then in the afternoon, you get the parties together to actually draw their own sort of charter co-operation. If you like, based on the values of the organization, you know, it's a punchy. Can break it, right? down to how we're going to treat each other. When we say respect, what do we mean by respect? What does that actually look like on a, on a daily basis? You know, sometimes you gotta break it right down like that, and get parties to agree how, how they want it to law.

37:37

So absolutely, there's a lot of work to be done post.

37:40

An investigation is I think we've demonstrated once you did the investigation that you're really only halfway there, because there's a lot of work to be done afterwards.

37:53

An array of processes and tools.

37:56

Yeah, yeah, thanks.

37:58

Now I think that's a really nice way of kind of summing up the message from this conversation, which is that, you know, they've really got to focus on the aftermath as well as the process for resolving the complaint itself. Thank you both for your incredible insights and sharing your wisdom with us today.

38:22

Tania, are there questions from the audience that we can? We can address with the sadly. I'm sorry, I only took a few minutes that we have lived.

38:33

Well, I think we've kind of tried to handle the one about, you know, how we address rumors that chatter, but someone's asking.

38:41

From way back at the very beginning, because we mentioned, I think you mentioned that Red Bull hasn't really handled that investigation very well upfront. And so that is the first question. Someone asked.

38:52

How do you think organizations could better handle that upfront piece?

38:59

Well, yeah, I think, I guess my response, and perhaps the question was submitted once when we were initially talking about that example. So, hopefully, you know, what we've talked about over the last 45 minutes or so, essentially, answers that question. Which is, that you got to be really clear about standards and your behaviors in the beginning. You've gotta have a An effective triaging process to select the right.

39:29

Method of resolution, for the matter at hand, You've got to make sure people are clear about who will make those decisions and have those decisions will be made.

39:39

And then you've really got to work with the parties after those findings have been made To get them to the point of reaching and acceptance of those outcomes, and a commitment to moving forward.

39:52

And there's lots of different ways you can do it, Um, but it requires a, you know, a fair bit of effort.

39:58

And, and, and, quite purposeful it.

40:03

Yeah.

40:04

And I can send those kind of you know, obviously in this instance, the Red Bull instance that we were talking about, there's been an issue where the parties haven't accepted that one member of the investigation.

40:18

Um, sure, I mean, do either one of you have any tips, or what do we do if the parties don't accept it?

40:27

I know it's an open question, I think, for me, Yeah, absolutely.

40:33

Yeah, I think sometimes, obviously, what we've talked about in terms of communicating the, the outcomes and the reasons for the outcomes, to the point, to a point studies, acceptable, but not excessive.

40:49

I have seen people use a sort of an external debriefing service as well, for the parties to a complaint.

40:58

So the idea of that external debriefing surfaces not, again, it's not about another opportunity to re prosecute a matter but providing an environment for the person to essentially kind of dumps They're the emotional light that they've been carrying from from the process in a confidential and supportive way.

41:23

Um, now sometimes people will have their own resources to do that, family, friends, you know, whoever bought. It can be quite useful to provide that additional service. And you know, AIP services will often do that work as well Mel. What else would you suggest you know, in addition to all the other ideas and thoughts that you've already expressed?

41:47

I think conflict coaching, though, you can obviously assist somebody in the conflict coaching sphere to, to come to an acceptance of what's happened or certain exceptions, but the bipartite you know and to learn.

42:03

Not to just point the finger but look inwards and you know understand Yeah, that contribution to the conflict to wallet card can be difficult. I mean, sometimes it's, it's a personality issue, and that can be hard if somebody justice and people to accept that. It didn't go the way they wanted it to.

42:22

Millimeter, hmm, mmm hmm.

42:25

I am interested to, in that we have the question about handling rumors and chatter. And there are limits to what people can know.

42:33

Yeah, about what disciplinary action has been taken. How do you, how do you deal with that with, you know, when the complainant, they see the person back in the office?

42:43

And they think, you know, what's happened here? I know that they set them up, my allegations were substantiated, but it doesn't seem to me like anything's happened.

42:52

Hmm, hmm, it's confidential listener as to what the outcome is in terms of the respondent. And I guess that just has to be reiterated, and that's for the organization, to, to talk to the confinement and give the complainant, whatever information they can. But at the end of the day, that the complaint has to understand that that is confidential as to what disciplinary action or both was actually taken.

43:15

Yes. I think there's two things in that for May want to And I know time, you've, you've addressed this sort of thing in conflict coaching, where you sort of use the conflict coaching environment to really, just kinda point out to the person will if the shoe was on the other foot. How. Would you, how would you like it if the other person knew all about?

43:37

The disciplinary action that was taken. And the other part to that, and I can get back to that prevention, which is, and part of the prevention strategies around. Thing.

43:48

Very, very clear with your employees, about who gets to decide what's going to happen, you know, compliant.

43:59

And, you know, ensuring that there are no illusions about that. And that's one of the things that I spend quite a lot of time on when I do actually delivered the triage training.

44:09

Because, on the one hand, you know, triaging a complaint is a process.

44:16

There is a huge amount of interpersonal skill required in doing it effectively.

44:22

And making sure that you're able to deliver those messages, that can be quite tough for people to hear in a way that doesn't damage the relationship between you and that person, because you still need their co-operation. You need that willingness to be involved. in whatever process it is. You just side is the appropriate response, and so you need to maintain your, maintain a level of rapport and goodwill with that person, but you also have to be able to make some tough decisions that they may not like. So, there's a lot of skill involved in, effectively triaging complained. It is not just not just a process.

45:08

So, the final question for you, and, which is an easy one, Will the recording of the webinar be available? Hopefully, we have actually recorded that, I believe that we have, and I think, yeah.

45:23

But I thought I was a good start to making the recording available, is making sure you've recruited it.

45:29

Absolutely.

45:31

Oh, well. That's a, that's a fun note to end on, by the sound of it, and we're right on time 115. Thank you, Tanya. And thank you, Melanie, for sharing with me today, and thanks Everybody who has been watching today and for your questions and your thoughts with logic will be running.

45:55

the webinar again.

45:56

In about a month's time, I believe that will be facilitated by our very own Melanie Roberts, who will be looking at mediation and facilitation processes in detail.

46:09

So if you've got, if you're interested in the things that Melanie touched on today, and she really only did, have an opportunity to touch on those processes fairly, briefly, please do tune into the webinar next month where Melanie.