AN EXAMPLE OF A QUICK ASSESSMENT BRIEF FOR UNACCEPTABLE BEHAVIOUR

This example is for illustration purposes only. It is not based on any known people or events.

Complaint of Unacceptable Behaviour: CAPT Smith and Mr White

Date of incidents: January - May XX

DIRECTION

1. On 12 May xx at 1000, I was appointed by DOPS to conduct a Quick Assessment (QA) following a complaint received by email from CAPT Smith on 12 May xx at 0900 h. The QA brief was to be provided on 13 May xx, but was subsequently extended to 15 May by DOPS. A copy of the email trail relating to direction and timeline is provided at Attachment A.

ALLEGATION

Summary of the allegation

2. CAPT Smith alleges bullying by her immediate supervisor Mr White. Specifically, CAPT Smith alleges that Mr White has, on several occasions, engaged in bullying behaviour towards her through the use of offensive language, negative and personal criticism of her, and the allocation of unrealistic task deadlines. The behaviour is alleged to have commenced shortly after being posted CAPT Smith was posted to the position in January xx, through to the time at which the complaint was submitted. A copy of the complaint is provided at Attachment B.

Summary of Details

3. Parties involved:
   a. 8111111, CAPT Jane Smith, complainant
   b. 8222222, Mr Bob White, respondent
   c. 8333333, SGT Ian Jones, who works directly to CAPT Smith and through her to Mr White.
   d. 8444444, Ms Mary Black, who is a colleague of CAPT Smith in the directorate, and who also works directly to Mr White.

4. Date, Time and Place of Incident(s). CAPT Smith describes three specific incidents that she claims are examples of a pattern of behaviour by Mr White. The alleged incidents are:
   a. Incident 1 - 30 January xx. After listening to a report by CAPT Smith, Mr White said the report was ****ing crap and that she should put some effort into the work in the office rather than attending to her multitude of personal commitments.
   b. Incident 2 - 26 March xx. Mr White tasked CAPT Smith with preparing a contract change proposal which was required by close of business that same day. When the task had not been completed by 1630 when CAPT Smith would normally leave the

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office, Mr White approached CAPT Smith in a very close manner, and said very softly so no-one else could hear that if the task was not completed by 0800 the next morning he would have her sacked and moved to a position with no future career prospects.

c. Incident 3 -11 May xx. Mr White had an informal discussion in the office break-out area with SGT Jones and Ms Black. Mr White referred to "people" who are not held in high regard, or who disagree with him as "retards". This conversation was relayed to CAPT Smith by SGT Jones. CAPT Smith asserts that the disparaging comment was directed at her.

5. Supporting Information or Evidence. SGT Jones was witness to alleged Incidents 1 and 3, and was relayed the alleged comments of Incident 2 immediately after the incident. Ms Black witnessed alleged Incident 3.

PARTIES INTERVIEWED

6. CAPT Smith. An interview was conducted with CAPT Smith on 12 May xx at 1400. She stated that Mr White was constantly harassing her in subtle ways. She stated that they have not had a good working relationship from the outset. CAPT Smith was posted to the directorate directly from a posting to the Middle East Area of Operations. Since taking up the posting, she works a regular day (0830 – 1630) in order to spend more time with her partner and small child. She believes Mr White expects her to work longer days and seems to expect a level of expertise that she has not yet developed. She believes his behaviour is intended to intimidate her into working longer hours and/or to influence her to seek an alternative posting.

7. In relation to the specific allegations, CAPT Smith claims that there have been many other incidents of bullying type behaviour but there have not been witnesses, so she has limited her complaint to incidents that can be verified. CAPT Smith's record of conversation is provided at Attachment C.

8. SGT Jones. An interview with SGT Jones was conducted on 12 May xx at 1530. SGT Jones has been with the directorate for eighteen months. He stated that Mr White had a very good relationship with the incumbent prior to CAPT Smith, because that officer was very hard working, was very experienced in the area, and in fact left the directorate on promotion. SGT Jones stated that Mr White has not been on good terms with CAPT Smith from the outset. SGT Jones admitted that Mr White can be very forthright and assertive when he wants something. This style has clashed with CAPT Smith who has confided to SGT Jones that she feels her experience and input to decisions and plans is not respected.

9. SGT Jones recalls alleged Incident 1. The meeting was only with himself, CAPT Smith and Mr White. SGT Jones confirmed the use of foul language by Mr White, and that there was some friction between CAPT Smith and Mr White. He cannot recall the exact words that were used. SGT Jones was aware of the tasking in relation to Incident 2, but did not specifically witness the alleged behaviour. CAPT Smith did tell him of this alleged incident as she was packing up to leave work that day. In relation to alleged Incident 3, SGT Jones confirms the conversation took place, and he was sure that Mr White was referring to CAPT Smith as she is the only person in the directorate that Mr White appears to have a problem with. SGT Jones has noticed that sometimes Mr White is quite frustrated with CAPT Smith, but other than the occasional outburst, would not have described Mr White's behaviour as bullying. SGT Jones' record of conversation is provided at Attachment D.

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10. Ms Black. An interview with Ms Black was conducted on 13 May xx at 0900. Ms Black confirmed the disparaging comments in alleged Incident 3. Ms Black was not sure who Mr White was talking about and chose not to pursue the conversation. She changed the topic of the conversation as she felt that it was inappropriate to be involved in a conversation of that nature. Ms Black's record of conversation is provided at Attachment E.

11. Mr White. An interview with Mr White was conducted on 13 May xx at 1200. Mr White admitted that he does not have a good working relationship with CAPT Smith. Mr White recalls each of the three alleged Incidents but claims that they have been exaggerated or misinterpreted. Mr White claims that he is performance managing CAPT Smith, and this requires him to be direct and insistent when talking to her about her tasking. In relation to alleged Incident 1, he cannot recall the words used in the conversation but recollects that he expressed disappointment with CAPT Smith's input. He neither admits nor denies the use of foul language. In relation to alleged Incident 2, Mr White recalls that there was a very good operational reason for the contract change proposal to be prepared urgently. Mr White claims that CAPT Smith has exaggerated the manner in which he communicated the importance of the timing. In relation to alleged Incident 3, Mr White admits to airing his frustration with people generally when they disagreed with his plans, as often this only slowed down the process when the decision was his to make. Mr White's record of conversation is provided at Attachment E.

Complainant's Desired Outcome

12. CAPT Smith would like Mr White to be counselled about his management style and the lack of respect he has shown to her in the workplace. CAPT Smith would accept an apology from Mr White if it was sincere. She would prefer that Mr White be moved to another position or for her to remain in the directorate but moved to another position which does not require her to work to Mr White.

ACTION TAKEN TO DATE

13. CAPT Smith has attempted self resolution without success. CAPT Smith is an Equity Advisor and is aware of her options and the support available. CAPT Smith has been tasked by DOPS to conduct an audit of contract files and is due to return to her regular duties and work location on Monday, 18 May xx. Mr White is conducting his regular duties in his usual workplace.

14. I have consulted with the Senior Equity Advisor, SQNLDR Free and with Mr Goodfellow, Assistant Director in the Conduct and Performance Cell.

ASSESSMENT OF THE COMPLAINT

15. Mr White insists that his behaviour has been appropriate in the circumstances. He admits that the working relationship could be better, but states that this is difficult to achieve when he is managing CAPT Smith for performance.

16. Type of Unacceptable Behaviour. The alleged behaviour is consistent with the definition of harassment as per Annex B to DI(G) PERS 35-3.

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17. Resolution. At this point, an informal resolution might best redress the situation without referral for formal action. Mr White needs to be aware of his responsibility to treat all personnel with respect and courtesy, even when they are being counselled. Both parties need to be aware of their responsibilities, and should be counselled to work together professionally. Mediation may be an option to explore following the counselling. Moving either CAPT Smith or Mr White is not a resolution that would be appropriate at this point.

18. Notification/Reporting**.**

a. Reporting to Fairness and Resolution is required. The complaint is to be reported within seven days of receipt of complaint or upon completion of this QA (Form AC875-1). Closure of the complaint following resolution will also be required (Form AC875-3).

b. Occupational Health and Safety Branch reporting and Comcare notification is not required as injury/illness or potential illness as per Annex F to DI(G) PERS 35-3, has not been identified.

19. Safety, Health and Wellbeing. In her interview, CAPT Smith advised that she has not taken any time off nor sought medical assistance due to the alleged incidents. It would be appropriate to monitor the relationship and immediate working environment to ensure that there is no form of victimisation.

20. Systemic/Procedural/Cultural/Training/Communication Issues. The annual mandatory equity and diversity training was conducted in February xxxx and all directorate staff attended.

RECOMMENDATIONS

21. The recommendation in relation to the complaint is to resolve the matter informally through counselling both the complainant and respondent.

22. The recommendations related to the management of the complaint are:

a. report the complaint to Fairness and Resolution in accordance with Annex F of DI(G) PERS 35-3, identifying the category of unacceptable behaviour as harassment;

b. monitor the success of the resolution by making regular enquiries with the complainant and respondent; and

c. consider training options for Mr White such as the CAMPUS course ‘Managing to improve performance’.

F. GOOD
LCDR

15 May xx

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Attachments

A. Email trail Ms Jones/LCDR Good re QA direction and timeline
B. Email complaint by CAPT Smith
C Record of conversation with CAPT Smith
D. Record of conversation with SGT Jones
E. Record of conversation with Ms Black
F. Record of conversation with Mr White

Commander/manager decisions:

I concur / do not concur with recommendations. (*delete as appropriate*)

Additional or alternative decisions and directions: *(insert if appropriate)*:

K. Jones
DOPS
May xx

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