

Tip Sheet for Representatives/Heads of Office/ Directors:



How to handle inappropriate behaviour or potential interpersonal misconduct in your teams

Prepared by DHR, OIAI, Ethics Office, and OED — April 2020

Every leader in UNICEF has their own style and character. While these are key to UNICEF's authentic, diverse management culture, it is vitally important that our leaders ensure their behaviours are fully aligned to the UN Standards of Conduct, UNICEF core values and expectations. These standards and expectations apply in all UNICEF workplace environments, whether it is a physical office space or remote working/teleworking situation. Staff look to leaders for behavioural / cultural cues, so it is of paramount importance that leaders set the appropriate "tone at the top."

The following pointers are intended to guide Representatives, Heads of Offices, and Directors in handling some common, challenging issues related to inappropriate or offensive behaviour in the "world of work."¹ However, they may also be used by managers at all levels to handle inappropriate behaviours in their teams, since many situations will not require the direct involvement of the Representative/Head of Office/Director. The overall accountability for a values-based working environment lies with the Representative/Head of Office/Director.

For any questions, please refer to orgculture@unicef.org

Create a Respectful Working Environment

There are preventive and responsive actions that you can, and should, take to create and maintain a respectful working environment within your team (Dos). There are also some actions that we do not recommend you take, as these can undermine a respectful workplace culture (Don'ts).

Dos

Take preventive actions

- **Know the key policies** – read them, understand them, have a hard copy easily accessible that you can refer to as needed. These policies have been updated as of March 2020, so please be sure you have read the updated versions as some major changes have been made to them:
 - [POLICY/DHR/2020/001: UNICEF policy on the Disciplinary Process and Measures](#)
 - [POLICY/DHR/2020/002: UNICEF policy on the Prohibition of Discrimination, Harassment, Sexual Harassment and Abuse of Authority](#)
 - [PROCEDURE/DHR/2020/005: UNICEF procedure on Appeals](#)
- **Be a role-model** – staff look to you as an example in leadership and in setting the right tone at the office. The creation and maintenance of a harmonious work environment starts at the top. Treat all staff with courtesy and respect. Be conscious of the power of your position.

¹ This note covers a broad spectrum of "inappropriate behaviours" (behaviour that is not in line with UNICEF's core values and expected standards of behaviour, but which is not of "a sufficient gravity" to amount to "misconduct") and "prohibited conduct" (defined as discrimination, harassment, sexual harassment and abuse of authority).

- If you have not done so already, **consult one-on-one with the Director of Ethics** as part of the renewed focus on ethical leadership.
- **Have an “open-door” policy for your staff** and encourage dialogue. Make time for any staff member to meet with you, “no questions asked.”, or at least at designated times during the week. Communicate these times to your staff in all-staff meetings, post them up on the wall by your door, and ensure your Executive Assistant understands your expectations with respect to these meetings. If you have team members working remotely, ensure they are also aware of these times, and can make appointments to ‘see’ you virtually/on-line during these times.
- **Engage informally with Staff Association representatives**, and/or Peer Support Volunteers because they have unique functions (e.g. over a coffee/lunch) which can help you to better understand staff dynamics in a less formal setting than a JCC or other meeting. Ask them for feedback on how the staff are feeling, how the office is functioning, how it can be improved, etc. without compromising confidentiality or putting any pressure on them to disclose any identifying information from staff. Such informal interactions can be a useful **“early warning” opportunity** for you to be alerted to emerging staff issues/conflicts before they escalate. This is a good way of getting to know the pulse of the office as well as building meaningful rapport with staff representatives. It can also help you to better understand and be more sensitive to the national culture and context.
 - Ensure that peer support volunteers (PSV’s) and Staff Association representatives understand their roles when it comes to supporting staff who are involved in an inter-personal conflict, and who may approach them for assistance. They should not normally become involved in resolving individual conflicts, i.e., they should not investigate any cases of potential misconduct reported to them, but should refer the staff member to a manager, to HR, or to you as Head of Office. Like all staff, they have a duty to report any potential misconduct that might be reported to them.
- **Continuously communicate with staff using multiple channels and forums about your expectations for the behaviours** of your staff. Demonstrate these behaviours on a regular basis with your staff.
 - Walk around the office at least once a week/month to have ‘face time’ with staff, to have informal conversations that can help build trust and transparency with your staff (be careful to ensure you are not perceived to be ‘inspecting’ if staff are actually present and working). For staff who are working remotely, ensure you are in touch with them regularly, ideally over video calls.
 - Make it a practice to avoid sending an email when you can walk to someone’s office and talk to them face to face instead or pick up the phone and talk to them in real-time.
 - Use humor in all-staff meetings, as appropriate and only once you have gotten to know the team and understand the local context.
 - Appreciate staff for professional and personal efforts and achievements at the start of all-staff meetings.
 - Use a coaching approach to help staff think more critically or find solutions on their own (ask open questions, challenge assumptions, provoke new ways of thinking).
 - Admit gaps or mistakes openly and humbly.
 - Ask staff to take on different tasks in meetings, eg, ask a Programme Associate to present an award/birthday or Send-Off gift, or give a Vote of Thanks; this builds cohesion and inclusion across staff categories and projects your respect for all staff. For staff who work remotely, this can be an important way for them to remain ‘visible’ and socially connected to the whole team.
 - Avoid sending emails outside of working hours except in the case of an emergency and ensure you define, with your team, what constitutes an emergency in your context.

- Ensure you, and the managers in your office, are **providing regular (real-time), honest, concise, to-the-point, feedback to your staff on their performance and behaviour**. This will help to ensure that there are no surprises when the times for performance discussions and appraisals come, especially in cases where performance needs improvement. In other words, proactive communications on performance and behaviours should be used to improve performance first and foremost, but also as a way to *prevent* conflict and disagreement around performance appraisals.
 - Talk to the Case Management Team in DHR if you have any questions about how to handle performance. They have [many resources](#) available.
 - How to give constructive feedback: describe the behavior or action using facts and observations; share your interpretation, assumptions, feelings about the behavior/action and the impact it had; ask for their perspective on the behavior/action; discuss and agree on what needs to change and what support is needed to bring this change about.

Communicate any changes you are making to your office staffing early on and continuously in a transparent way to all staff, especially to staff who are most affected, such as those on abolished posts. Ensure that you have a solid *business* case for any such cases, regardless of the person encumbering the post. Abolishment of posts should not be used as a way to address under-performance. If you plan to abolish a post that happens to have an under-performing staff member encumbering the post, address the performance issue *first*, e.g., through a Performance Improvement Plan (PIP), before you address the abolishment of the post. **If there is an inter-personal situation/conflict between staff members in your office/team:**

- **Act as soon as you learn of the situation.** If you are aware, and your staff know you are aware, and you are not taking any action, your leadership credibility will be undermined. Look for the least intrusive action you can take that is likely to diffuse the situation and move it towards resolution. Look for solutions or ways to improve the situation that you can help achieve.
 - If you are simply not sure where to start, **contact regional HR or DHR for advice and guidance.**
- **Talk to each person(s) concerned, separately (ideally in person, or over a video call if an in-person discussion is not possible). Really listen to them. Ask questions** to ensure you have understood correctly the situation from their perspective and be mindful that this will likely be a sensitive situation or topic for them to talk about with you.
 - You may wish to ask, for example, ‘I understand that there may be a situation between you and colleague X. Can you tell me what’s going on?’ or ‘how do you see this situation?’ which are open-ended questions that allow the other person to start from wherever they feel comfortable.
 - If you are not quite sure how to have these conversations, please seek advice from the Staff Counsellor or HR or the [Ombudsman](#).
 - Include HR in these conversations if appropriate, i.e., if the staff involved feel comfortable to have HR present, if HR is not a party to the conflict, and if HR is not perceived by parties in the conflict to be taking sides.
 - Ensure that *only* the people that are *most directly involved* in the situation, or in *resolving* the situation, are present in the meeting. Avoid having ‘supporters’ of either party present, as this can be intimidating and may also compromise confidentiality of the discussions.
 - Ask each party what outcome they are looking for, for example, ‘what is the ideal outcome for you in this situation?’ or ‘how do you want to see this situation resolved/closed?’. They may want the conflict to just stop, or they may want someone held accountable or disciplined in some way, or they may want a formal investigation process to be initiated. Under [the new policy](#) (para 25), you have a duty to provide information to them about different informal and formal avenues available to them. Inform each party that you have an obligation to report to OIAI in

good faith any potential misconduct, as do they, but clarify that not all wrongdoing rises to the level of misconduct.

- Ask affected parties if they need any additional support, and help refer them to the appropriate services.
- **Be clear, direct, and kind** in your communication with each person.
 - If someone has clearly engaged in inappropriate behaviour (e.g. shouting, insulting, defaming another person), tell them that their behaviour was inappropriate and did not meet the expectations and standards of UNICEF.
 - Use references such as the new [Competency Framework](#) list of behaviours, [the UNICEF core values](#), the [UN Oath of Office](#), and the [UN standards of conduct](#) which are binding on all international civil servants.
 - Explain why their behaviour did not meet UNICEF's expected standards of behaviour and request them to apologize and stop the behaviour immediately.
 - To build empathy and understanding, you could ask them to put themselves in the shoes of the other party, to observe the situation from their perspective, and consider the impact on them, as well as the broader team.
 - Offer to provide access to additional support to ensure the person learns how to behave better in the future, such as a 360 and coaching, or counselling support.
 - Be explicit on your future expectations of their behaviour.
 - Monitor the situation yourself and via others, e.g., your deputies and HR, to ensure that the inappropriate behaviour has stopped. For staff who work remotely, this will require specific strategies such as getting feedback from other team members on whether the person has changed their behavior, or when possible, asking the person to work on-site for some time, so that you can observe their behavior/interactions directly.
 - Check in with all parties (separately) after 2, 4, and 8 weeks, to ensure the situation is really resolved.
- If the situation persists, or the behaviour continues, you may **consider referring the parties to a mediated outcome** through the Ombudsman's office. If the parties opt for mediation by the Ombudsman, you should keep out of the mediation process (which is confidential to the parties) unless you are approached by them.
- If you think the behaviour/situation may be **potential misconduct**, i.e. would it constitute misconduct as per our policies? Contact OIAI for guidance (integrity1@unicef.org).
- If you think it might be an issue on **ethical standards of conduct**, contact the Ethics Office for confidential advice and guidance (ethics@unicef.org).
- If staff report any inter-personal conflict/situations to you, tell them, "Thank you, I will work on it." If you are asked about progress on any such situations by any staff member not affected by the situation, tell them, "Thank you, I am working on it." If you are asked about specific situations by the victim or other affected party, you may wish to share more information on the actions you are taking, while still respecting privacy. Further details or explanations are not needed and may be detrimental to any process underway. Your staff only need to know two things: 1) you (as the leader) are aware; 2) action is being taken.
- If the situation involves alleged sexual misconduct, ensure that the affected person's immediate needs are addressed *as a matter of priority* (e.g. security, counselling, medical aid).
- If a staff member has reported a possible case of misconduct to OIAI and an investigation/disciplinary process is underway, and you know about this, continue to monitor the office environment and ensure that there is no retaliation or other adverse action against the complainant. Just because there is an investigation does not mean that you can't exercise your role

as a manager, for instance by changing reporting lines or physically separating staff while a process is underway.

- Once a situation/conflict has been addressed and resolved, regardless of the outcome, you will need to support the team to **heal and move forward in a constructive spirit**.
 - Continue to communicate about the UN Standards of Conduct and the UNICEF core values and what it means to practice them on a day to day basis in the office and outside the office (i.e. if staff are working remotely).
 - Engage with Staff Associations and PSVs to get ideas from staff on how to help the team heal and move on.
 - Invest in team-building retreats or other activities to strengthen the social cohesion in the team. Ensure, to the extent possible, that staff working remotely are also physically present to participate in such activities/retreats.
 - In private with the affected staff members, refer them to counselling support (the Staff Counsellors) to help them to move on, and to avoid them “dwelling in the past.”
 - Take steps to facilitate the “reintegration” back of staff who were on administrative leave, where possible and sensible to do so.
 - Continue to be available to listen and discuss with colleagues as needed.

Don'ts

- **Do not tolerate inappropriate behaviour** or allow it to continue unaddressed. If you are not sure how to address it, seek advice from Regional HR, DHR, or your supervisor (i.e. the Regional Director) or the Ethics Office.
- **Do not talk about any ongoing situations** of inter-personal conflict or potential misconduct with anyone other than your deputies and HR. Be explicit with them that these conversations are confidential.
- **Do not take sides** in an inter-personal conflict. Do not approach a situation with any preconceived ideas about the parties involved based on your past experiences with them. Often in cases of inter-personal disagreement/tension, it becomes evident that the same situation can be viewed in different ways, or interpreted from different perspectives, so it is crucial to listen to all sides without any predetermined ideas or assumptions.
- **Do not launch an investigation yourself** into any potential misconduct. **Do not place blame** on any party. Listen to all involved, ensure you have a clear understanding of the key facts from all parties involved (this may mean you will have to have several separate conversations with different staff, note that this is not the same thing as an investigation process), and take the necessary action – either at office-level or refer to the relevant part of the organization as needed.
- **Do not claim “neutrality” or “non-intervention”** as the Representative/Head of Office. You cannot be neutral when UNICEF’s core values and staff well-being are potentially being compromised. You have an obligation to take action and resolve conflicts among your staff.
- **Do not use abolishment of posts or upgrades/downgrades** to posts to handle under-performance (i.e. to exit staff members who have not met expectations). Do not mis-use these processes to punish or reward staff members.