# A Process to Handle Various Tricky Personnel Situations

## Introduction

There are an abundance of employment situations that many a manager would mentally class as challenging or tricky to even think about, let alone deal with.

But deal with you must, in a professional and sensitive way.

These situations are commonly known as "having a difficult conversation", but why?

It's because of how we think about them.

Be aware of the thoughts you are thinking about this situation you are classing as "tricky". There will be stories going on inside your head. You may be thinking to yourself:

"He is so difficult to deal with"

"He is going to hate me if I bring this up"

"What if I'm wrong, I know, I'll pick her up on it next time"

"I can't do this, she is bound to make a scene"

What you think, to a large extent, creates the emotions you feel. See the link between your thinking and your emotions.

So, start from a state of neutral mind. It helps if you focus for a moment on your breath. Sit up straight, take a deep breath in, hold for a second, and slowly release it.

Do this 5 times.

Brilliant, now you are more in the present moment.

Now think some thoughts which are more neutral or affirming, maybe like:

I really don't understand why I am making this into a big deal. It's my role as a manager in this business to help achieve its objectives. That's for everyone's benefit. If we didn't have a well run business, we'd all be looking for something else. This is simply a conversation to explore what's going on, with a view to things improving for everyone around. I'm not picking on anyone here. I'm doing my job, professionally. A more positive situation will likely come from this. This is a fair way to handle things. In fact I can see that if more managers got good at having these types of conversation, business would improve all round. This time tomorrow, I'll be a time soon that I'll be laughing to myself that I used to make such a big deal of these talks. It's just a part of work. I can do this.

Feel a bit better? Good because not to act can easily lead to bigger problems.

- Like your team member having no idea that their behaviour is not wanted within the team or the business.
- Or if left unchecked, other employees can adopt the behaviour thinking it is acceptable.

- If other team members see the behaviour go un-noticed and believe it's out of order, this can reduce morale within the team.
- And a major consideration, is that these things often have a detrimental effect on a team's productivity, effectiveness and how they are viewed professionally.

So let's get on with it.

**When is the best time to take action?**

Some situations can simply be dealt with using verbal FEEDBACK. Regular use of feedback as a tool will nip many a situation in the bud in less than a minute. Search FEEDBACK in the library and master this guidance and I promise you'll have a much better life at work.

As in almost all tricky situations, our guidance would be to take action as soon as you know something isn't right. This is easy to identify with a breech in your dress code (which could be handled with feedback), or someone turns up for work looking drunk (this will need a private meeting). The time to act is there and then.

There may be times when the problem has taken a while to develop, for example the change in someone's behaviour. When to act then is when it looks like it's becoming a regular occurrence, or a habit.

You may also need to take action when you have been made aware of a situation when a complaint is made by your colleagues or third parties such as clients or suppliers.

**Will an email suffice?**

We don't recommend that. It is understandable that we will seek an easy way out of these situations ourselves, we are human after all! However, almost always if we are classing this situation as a "tricky one", it is going to be sensitive, so email won't do.

This is because they could be shocked or upset by your comments or they may wish to confide in you with some personal information so face to face, in a private setting with the employee is the best bet.

**To meet or not to meet**.

To be clear in this guidance <u>we are not</u> talking about looking at potential gross misconduct situation (for example being drunk at work or theft), those situations will need formal action as laid out in your company's disciplinary policy.

But often it will be possible to deal with a particular situation there and then with verbal feedback as mentioned earlier.

If it can't be handled with verbal feedback within a minute or two, then a meeting it is.

This is often referred to within your disciplinary or capability procedures as the "informal approach". This approach is recommended by the ACAS Code of Practice on Disciplinary and Grievance Procedures too.

**Evidence**

Even when we are talking about an informal process, that doesn't mean we don't need any evidence!

If your team member is not performing, then you'll be looking for evidence as to what was agreed to be done, maybe in your one to one meetings or an appraisal and cross check with what has been achieved.

Where it is one of poor timekeeping, gather data of when they came in late. Dates times.

Sometimes you may need to refer to company policies or procedures. If you think someone has breached a policy, it is best to cross reference with the document that they actually have.

**Creating the environment**

Privacy is essential. If you don't have your own office, borrow one or use a meeting room.

Consider the layout of the room. If the discussion could lead to disciplinary action, then position chairs around a table so you can be sitting opposite the other person. This sets a more formal tone to an informal discussion.

If you are raising an embarrassing situation, then positioning the chairs next to each other will appear more open and approachable.

This type of meeting can be quite unpredictable, so do allow more time than you initially think. Calling the meeting to a sudden halt after 5 minutes because you have to be somewhere else may undo your initial good work.

**Consider your questioning style**

Open questions are great to start a conversation. For example "you were late 3 times this week, what happened there?

Closed questions are great for obtaining specific information. For example, "is this your signature on the company drugs and alcohol policy"?

Best to keep questions short, and don't put words into the other person's mouth instead of having an exchange of viewpoints so to speak. For example "surely you can see that I can't let this continue".

Don't get personal. "We are dealing with the problem not the person" is a useful mindset to adopt. We are dealing with the impact of the behaviour, not the person carrying out the behaviour.

### And listen

Effective listening is very important. Not only for making note of the discussion held, but for your own creditability as a manager. Imagine your team member feeling humiliated that they've just shared something personal about their situation and you go answer the text message ping on your phone!

### Meeting structure

The structure required for your meeting will depend on its formality.

A meeting because you are concerned in some way about your team member, for example if they have seemed anxious at work all this week takes a less structured approach than if you are handling a potential conduct or capability issue.

In either case, your meeting can be held using this structure, adjusting your tone and approach.

Don't be afraid to refer to pre prepared script. It will help you stay on track.

1. **Purpose**. When opening the meeting, state why it has been arranged. For example you've been concerned and you'd like to make sure everything was okay or you have concerns around performance that you'd like to go over and highlight the standard required.

2. **Confidentiality**. Give assurances that the content of the meeting will remain confidential.

3. **Problem.** Explain the issue that has led to the meeting. Don't beat around the bush here, give specific examples for example targets have been missed, projects that have not returned a profit, reporting on progress that has not appeared accurate etc.

4. **Impact**. Set out the effect or impact the problem is having, maybe on colleagues, the business, the team member themselves.

5. **Let them speak.** Once you've finished setting out the problem, let the employee have plenty time to have their say. Be prepared to have them talk for longer than you thought necessary, cry, get angry.

6. **Questions.** Based on what you've been told, or witnessed during the meeting so far. Use open and closed questions to gather more information from them. Adjourn the meeting if needed to examine the employee's claims.

7. **Show understanding.** The employee might offer some mitigating circumstances, for example they are going through a relationship breakdown. Do acknowledge them, but don't let them cloud your judgement on what the next steps might be, more so if this is becoming habitual.

8. **Next steps.** In some cases, the next steps will be a simple as asking the team member to stop a specific behaviour and them complying. Some cases, extra support may be required. If it is, arrange this quickly. Discuss all the available options, including any ideas the employee has, and then make a decision. If agreement can be reached, this makes things easier.

9. **Follow up.** In order to maintain momentum towards improved conduct or capability, arrange a follow up meeting no more than two weeks ahead. Monitor progress and give feedback as necessary.

10. **Keep a record.** Make a record of your discussion; these will not be verbatim notes of "he said she said". A brief outline of what was agreed including action points and any timeframe that applies. Give a copy to your team member.

11. **Cover the consequences.** Make it clear that this has been an informal approach to the issue. However the consequences of non-compliance may mean moving to formal disciplinary or capability proceedings if the matter remains a problem.

At informal meetings like this, the employee does not have a statutory right to be accompanied. If someone becomes upset or asks to have a colleague with them, its good practice to consider their request. It could be deemed a reasonable adjustment for example if the employee is disabled.