



Voicing concerns constructively - A worksheet

Introduction

It may occur that we observe a colleague's behavior in the workplace that seems problematic or might even be a violation of the Code of Conduct. Often, you can resolve concerns about workplace conduct by raising them constructively with the person whose behavior seems problematic. It is, however, not always easy to address concerns with someone about their behavior. This worksheet is intended to offer guidance in these situations. It provides suggestions on how to prepare for the conversation, present the issue in a non-adversarial manner, and engage in an open dialogue that can lead to a positive outcome. To have a constructive dialogue, it is important to create an environment where the participants feel safe being open and honest about the problem at hand. This requires mutual trust and respect.

When to use this worksheet?

Raising a concern directly with the person exhibiting the problematic behavior is suitable for some situations, but not for all. The approach works best in situations where the following is true:

- > The problematic behavior is abnormal for the person. The person making the problematic decision typically makes responsible decisions that are respectful of others and of company policies.
- > The problematic behavior is likely caused by unusual circumstances such as high stress, frustration, or a simple lack of awareness of the applicable rules and policies.

In these situations, raising a concern directly with the person whose behavior seems problematic can often be the most effective solution. Most people want to behave responsibly and are usually grateful when a well-meaning colleague makes them aware, in a constructive manner, that their behavior might be problematic.

There may be situations, however, where it is better not to raise a concern directly with the person whose behavior is problematic. This is particularly the case under the following circumstances:

- > The person's behavior presents an imminent risk of serious harm to people or the company.
- > The person is willfully violating the law or the Code of Conduct.
- > Raising the concern with the person directly might lead them to destroy important evidence of their behavior.

Under these circumstances, it is better to seek professional assistance from the appropriate person or department within the company. Available resources, such as the Penguin Random House Ethics & Compliance Department, are described in the Code of Conduct.

What if you are the boss?

How should you respond if you are the supervisor of the colleague whose behavior seems problematic? If a supervisor or member of management becomes aware that an employee is about to violate or already violates the Code of Conduct, it is his or her obligation to intervene in an effective manner.

Need further advice?

Please feel free to contact the Penguin Random House Ethics & Compliance Department if you have questions relating to the Code of Conduct. This includes questions on how to best raise a concern directly with a person exhibiting problematic behavior. We are here to help and look forward to hearing from you. The contact information for the Penguin Random House Ethics & Compliance Department is provided at the end of this document.

Employees who speak up freely and constructively when they are concerned about potential misconduct are the best safeguard a company can have to prevent, detect, and correct it. Penguin Random House therefore values and encourages open dialogue in the workplace. Our company does not tolerate intimidation or retaliation against employees who in good faith provide reports of suspected or actual misconduct.

Your Penguin Random House Ethics & Compliance Team

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Plan the conversation

Create the right setting:

Create conditions that will allow you and the other person to have a conversation without interruptions:

- > Choose a space that allows for a private conversation.
- > Pick a time that allows for an unrushed conversation for both parties.
- > Eliminate distractions (e.g., ringing phone, alerts for incoming emails or text messages, others entering the room, etc.).

Goals:

Establish your objectives for the conversation. What do you plan to accomplish?

What is at stake?

Clarify why you believe that the behavior or decision is problematic. Who will be affected? What are the possible negative consequences? For other affected people? For you? For the company? For the person you are talking to?



A series of horizontal dashed lines for writing, organized into three sections corresponding to the text on the left. The first section has 8 lines, the second has 8 lines, and the third has 8 lines.



Underlying reasons?

Consider what might be the underlying reasons for the person’s problematic behavior or decisions. What arguments might the person use to justify his or her behavior?

Alternative solutions:

How might you address those arguments? Are there other, better ways to resolve the problem at hand?

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2

Dialogue – Make it effective

A. How to present your concern

Ask permission to give feedback.



Show respect:

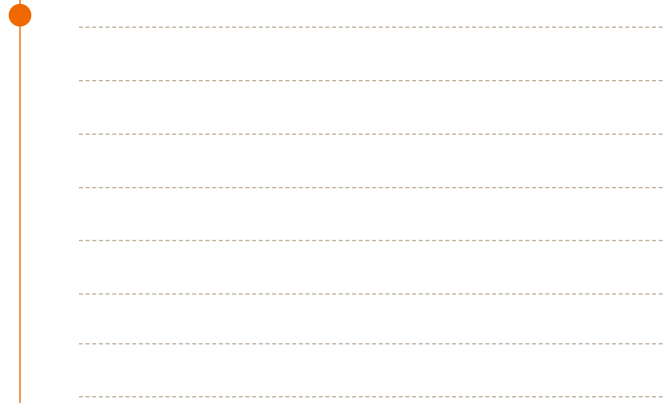
Make it clear that you are not questioning his or her integrity, but that you do have a real concern that needs to be resolved.



Describe your observation:

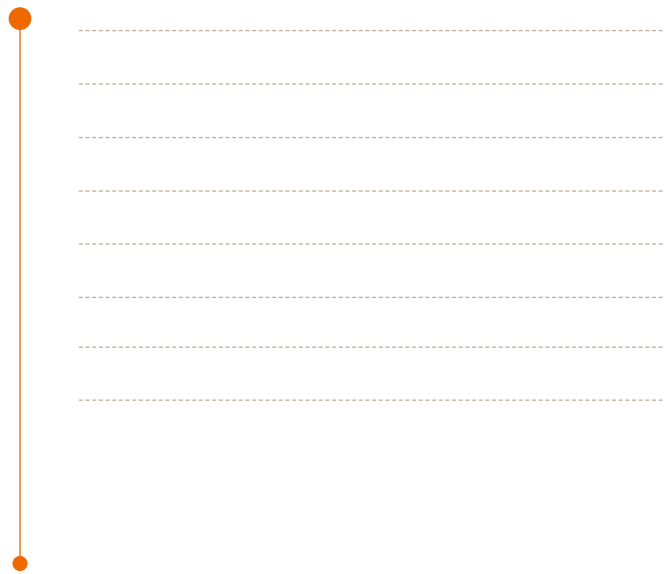
Set the context by describing what you observed or experienced.

- > Describe the specific observed behavior that concerns you.
- > Use neutral language. Refrain from assumptions or character judgments.
- > Verify whether the other person agrees with your description of the situation.



Explain why you are concerned about the behavior or decision:

Let the person know why you think the issue is important. Describe what kinds of risks are associated with the behavior or decision. Explain the impact his or her behavior might have on relevant parties, such as you, colleagues, the company, and on him or her.



B. How to optimize the quality of the conversation

Make it safe and non-adversarial


Be composed:

Remain calm, objective, and mindful. Monitor and be aware of how you feel during the conversation. If you feel you are getting too emotional and the conversation too heated, consider whether it is a good moment to take a break.

Empathize:

Right from the start, show interest in the other person's perspective and how he or she is doing. Show that you empathize with him or her throughout the conversation.

Help the other person save face. Be aware that this probably isn't the other person's best moment. Make sure your statements and gestures are respectful and non-threatening. Avoid judging the person and actively try to understand his or her perspective.





Balance asking & telling

Be concise:

Don't speak for too long before giving the person a chance to respond. The shorter and more direct the message, the easier it is to listen and respond to.


Ask questions:

Ask questions to gather information and give everyone involved in the discussion a clearer and more complete picture of the issue at hand.

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Listen:

Ask about the other person’s perspective, and then wait for his or her answers. Refrain from interrupting. Don’t feel obligated to fill the silence. Listen.



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Be open-minded:


Don’t focus on proving your point. Openly take into consideration the information the other person is sharing with you. It’s possible that you’ve misunderstood something.



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Paraphrase:


Restate what you have heard in your own words. This shows that you are listening attentively and understand the other person.



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Find common ground:

When you agree with a statement the other person makes, point it out. This can also be done through gestures, such as nodding. Doing so helps build a trusting atmosphere.



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Work together to find a solution

Generate alternatives:

Brainstorm new strategies. Consider together alternative ways to move forward.

Collaborate:

Solve the problem collaboratively. You can propose your ideas for alternative solutions. Or better yet, help the other person come up with a solution themselves.

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Wrap up

Summarize:

Summarize the gist of the conversation and any decisions or commitments made, as appropriate.

Show appreciation:

Toward the end, show appreciation for the other person's willingness to listen to your concerns and engage in a difficult conversation.

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3

What if the outcome is not what you hoped?

A little patience:

The other person might not change his or her mind instantly. He or she might need a little time to process the conversation and change his or her mind. Consider how to provide this space. Circumstances permitting, offer the other person some time to think it over. Or agree to seek a second opinion from a qualified third party.

Accountability:

If a resolution must be postponed, ask to resume the conversation before the other person proceeds with his behavior or decision.

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Plan B:

Consider your options if it becomes clear that your best efforts at persuasion have failed and that the other person will proceed to violate the Code of Conduct.

In this case, you should get in touch with one of the contacts listed in the Code of Conduct. The Code describes how employees can raise concerns safely and confidentially.

Possible options include:

- > Bring your concerns to the attention of local management.
- > Contact the Bertelsmann Ethics & Compliance Department.
- > Contact the ombudsperson.

Handwriting practice area consisting of ten horizontal dashed lines.

Contact information

ETHICS & COMPLIANCE AT PENGUIN RANDOM HOUSE

Email: ethics@penguinrandomhouse.com

Phone: +1.212.782.2001

Web: www.reportconcerns.com

Further information is available online at

<http://employee.penguinrandomhouse.com/ethics>.



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