

## **Reducing the fear of workplace bullying**

It is inherent in the ways individuals in the workplace interact that a certain amount of banter and even more robust exchanges are a natural part of workplace lore. Combative humour, jibes and friendly put-downs are common and even acceptable in many working environments. Occasionally this gets out of hand and causes harm where none was intended, leaving the 'victim' feeling persecuted or singled out as a target. More deliberate and extreme forms of harassment and bullying also occur, including physical exclusion, pushing or shoving, or even physical attack.

Whatever the cause or degree, employers have to take such behaviour very seriously. Quite apart from the legal implications, individuals and organisations can suffer long-term harm from its effects.

However, it frequently goes undetected – partly because many managers are unsure about what actually constitutes bullying – and even when suspect behaviour is identified it often goes unchallenged or is not dealt with effectively.

Bullying is becoming increasingly recognised as a problem in the workplace. The TUC estimates that up to 5 million people could be the victims of bullying at work and 38% of all calls to a TUC help line related to allegations of workplace bullying. In a survey conducted in the NHS and published in the BMJ an identical 38% of respondents said they have been subjected to bullying behaviour in the past year. These staff had lower levels of job satisfaction and were more likely to leave, and higher levels of anxiety, work-related stress and depression. A survey by the union UNISON suggested that in 83% of cases bullying came from the victim's line manager in the work place which is perhaps hardly surprising. Managers after all have the greatest opportunity to engage in bullying behaviour and a subordinate who is a victim can be intimidated into silence by fear for their job.

## **What are bullying and harassment?**

These terms are used interchangeably by most people, and many definitions include bullying as a form of harassment. Harassment is clearly defined under the European Commission Code of Practice on the Protection of the Dignity of Women and Men at Work: "*Unwanted conduct affecting the dignity of men and women in the workplace. It may be related to age, sex, race, disability, religion, nationality or any personal characteristic of the individual, and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.*" Peter Randall, author of the respected *Adult Bullying* (see references) is more direct: "*Bullying is the aggressive behaviour arising from the deliberate intent to cause physical or psychological distress to others*".

Harassment can also have a specific meaning under certain laws (for instance if harassment is related to sex, race or disability, it may be unlawful discrimination). From December 2003 the law also gave protection against harassment relating to religion or belief and sexual orientation..

Although the UNISON and other surveys highlight bullying by management as a significant problem we should not overlook that this behaviour may be by any individual against another, not necessarily by someone in a position of authority such as a manager or supervisor. Whatever form it takes, it is unwarranted and unwelcome to the individual. It can also involve groups of people. It may be obvious and visible but more often is covert, hidden from public view. In either case it is insidious; it can do extreme damage to individuals even causing long-term psychological harm such as anxiety, depression or even post-traumatic stress syndrome (PTSD).

### **Myths about bullying**

You will often hear pundits speak of bullying as being 'about power'. One of the difficulties with unqualified statements like this is that they tend to reinforce bullying stereotypes and possibly even conceal some of the less obvious cases. They also do little to explain how bullying can be tackled.

There are issues of power in any organisation or group, it does not follow that bullying will automatically occur. Of course victims feel powerless – bullying is a conditioning process designed to that end – but whether the bully feels powerful or not is another matter. Looking for abuse of power as a single defining factor can be misleading.

Another widespread myth is that only the weak are bullied. Some people are more likely to become targets than others, but this is not because they are weak or inadequate individuals; it is about how they interact with the bully as the behaviour establishes itself.

Pressure to get the job done does not necessarily constitute bullying, despite the fact that staff sometimes complain of bullying behaviour when being pushed to meet deadlines or increase workloads. Many managers find it difficult to get the balance right between the apparently conflicting demands of care for staff and responsibility to their employer to 'deliver the goods'. Clear guidelines and training and support for managers are essential here.

Bullying and harassment are not necessarily face to face. They may also occur in written communications, email, phone, and automatic supervision methods such as computer recording of downtime from work or the number of calls handled if these are not applied equally to all workers.

The effects of bullying and harassment on the individual may be gradual at first. Many 'victims' have later said that they did not spot what was going on

until it was too late and they felt too intimidated to do anything about it. The result may be feelings of anger, frustration or being unable to cope. Some people may try to retaliate in some way, others experience fear and demotivation, stress, loss of self-confidence and job insecurity, illness, absence from work, and even resignation. Work performance is affected and relations in the workplace suffer.

### **Responsibilities of employers**

Employers are responsible for preventing bullying and harassing behaviour. It is in their interests to make it clear to everyone that such behaviour will not be tolerated — the costs to the business may include poor employee relations, low morale, inefficiency and potentially the loss of staff. An organisational statement to all staff about the standards of behaviour expected can make it easier for all individuals to be fully aware of their responsibilities to others.

Empowering managers to fully understand their role and their critical dual responsibility – for the welfare of staff as well as the delivery of profits or of services – is vital in ensuring the fair treatment of staff. Just as important is a clear message to employees that they will be supported by the organisation should they need to discuss concerns about bullying. Incidentally, notice that I did not say ‘Make a complaint’. All too often complaints about bullying and harassment escalate to a point where there is no going back and this denies any opportunity for the accused or the organisation to learn by the experience. There is a place for complaints and grievance procedures, but they are often invoked incorrectly, or precipitously, because of uncertainty or lack of guidance on how to proceed.

There is a right to mutual trust and confidence between employer and employee and if bullying or harassing behaviour are allowed to go unchecked such trust and confidence is lost. Employers are usually liable in law for the acts of their workers, and this includes bullying or harassing behaviour. Ignorance on the employer’s part, therefore, is no defence.

One way to avoid or at least minimise the risk is to make bullying and harassment open topics of conversation in organisations. This starts with giving managers and staff information on how to work together and get the job done, even under pressure. A clear and accessible policy on bullying supported by briefings and training will raise awareness and suggest ways to reduce the risk of bullying – real and perceived – and what to do if they think a colleague needs help or support. Managers generally welcome such initiatives because they receive clear guidelines and recommended courses of action.

#### **BOX 1**

Examples of bullying/harassing behaviour include:

- Spreading malicious rumours, or insulting someone by word or behaviour (particularly on the grounds of race, sex, disability, sexual orientation and religion or belief)
- Copying memos that are critical about someone to others who do not need to know
- Ridiculing or demeaning someone — picking on them or setting them up to fail
- Exclusion or victimisation
- Unfair treatment
- Overbearing supervision or other misuse of power or position
- Unwelcome sexual advances — touching, standing too close, the display of offensive materials
- Making threats or comments about job security without foundation
- Deliberately undermining a competent worker by overloading and constant criticism
- Preventing individuals progressing by intentionally blocking promotion or training opportunities.

## BOX 2

The Sex Discrimination Act 1975, the Race Relations Act 1976 and the Disability Discrimination Act 1995 make unlawful any bullying or harassment that includes elements of discrimination, for instance sexual harassment or gender related bullying behaviour.

By the end of 2003 there will also be protection against discrimination on the grounds of religion or belief and sexual orientation and by December 2006 on the grounds of age, following the implementation of the EU Employment and Race Directives.

The Government intends that employees will receive a specific and free-standing right to be protected from harassment in all six areas - race, sex, disability, sexual orientation, religion or belief and sexual orientation - and will introduce a standard definition of harassment (with a modified definition for sexual harassment).

Certain types of harassment, such as stalking, are covered in criminal law by the Protection from Harassment Act 1997, and the Criminal Justice and Public Order Act 1994.

The Employment Rights Act 1996 gives protection to employees with qualifying service by allowing them to claim 'unfair constructive dismissal' if they are forced to leave their job because of the actions of their employer.

Such actions might include failure by the employer to deal with any complaint of bullying or harassment, or failure to protect their employees from bullying and harassing behaviour.

### BOX 3

#### **The cost of bullying to the organisation**

The TUC says that employers who fail to tackle bullying can pay a high price in terms of:

- Lost time – because staff are affected by stress and ill-health
- Lost incentive – because morale is low
- Reduced work output and quality of service
- Lost resources; people who are trained and experienced leave the organisation
- Costs of management time and Employment Tribunal or to court hearings
- Eventual financial penalties and loss of reputation

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#### **Reading and references**

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*Social Conflict; escalation, stalemate and settlement*, D. Pruitt, J. Rubin, Random House, New York, 1996

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*Workplace Bullying in NHS Community Trust: staff questionnaire survey*, L. Quine, BMJ, 1999;318;228-312

**Useful contacts**

**Commission for Racial Equality**

Tackling racial discrimination and promoting racial equality

Tel 020 7939 0000

[www.cre.gov.uk](http://www.cre.gov.uk)

**Disability Rights Commission**

Providing information and advice to disabled people and employers about their rights and duties

Tel 08457 622 633

[www.drc.org.uk](http://www.drc.org.uk)

**Equal Opportunities Commission**

Working to eliminate sex discrimination

Tel 08456 015 901

[www.eoc.org.uk](http://www.eoc.org.uk)

**Employee Assistance Professional Association (EAPA)**

Information on Employee Assistance Programmes

Tel 0800 783 7616

[www.eapa.org.uk](http://www.eapa.org.uk)

**Race Relations Employment Advisory Service (RREAS)**

Advice and consultancy services on diversity in employment

Tel 0121 452 5448