# Bullying at Work

Guidance for Safety Representatives

October 2007

Bullying and harassment is a major problem within many workplaces, however often it remains a hidden problem and can be accepted or even encouraged by the culture of an organisation.

Bullying at work can never be acceptable. The TUC believes that all workers have the right to be treated with dignity and respect at work and any form of bullying is totally unacceptable behaviour. In addition it can lead to work related stress and ill health for many workers.

## What is workplace bullying?

Usually if a person genuinely feels they are being singled out for unfair treatment by a boss or colleague they are probably being bullied. Although there is no comprehensive list of bullying behaviours, and there is no one type of person who is likely to be a bully, the list below should give an idea of some of the behaviours which constitute workplace bullying.

Bullying behaviour can include:
- Competent staff being constantly criticised, having responsibilities removed or being given trivial tasks to do
- Staff being shouted at
- Staff being persistently picked on in front of others, or in private
- Having promotion blocked
- Regularly making the same person the butt of jokes
- Constantly attacking a member of staff in terms of their professional or personal standing
- Setting a person up to fail by overloading them with work or setting impossible deadlines
- Regularly and deliberately ignoring or excluding individuals from work activities
- Staff having their views and opinions ignored

## The extent of bullying

The extent of bullying varies from employer to employer, and sector to sector.

A large survey on bullying at work by the University of Manchester showed that:
- 1 in 10 workers had been bullied in the last 6 months
- 1 in 4 workers had been bullied in the last 5 years
- 47% of workers had witnessed bullying at work

Another survey by the Chartered Institute of Personnel and Development found that 20% had experienced some form of bullying or harassment over the past two years. The survey also reported that the groups most likely to become victims of bullying and harassment are black and Asian employees, women and people with a disability. Nearly one third (29 per cent) of Asian employees or those from

other ethnic groups report having experienced some form of bullying or harassment compared with 18 per cent of white employees. Employees with disabilities are at least twice as likely to report having experienced one or more forms of bullying and harassment compared with non-disabled employees.

Research has also shown that while managers and supervisors are more likely to be the bully, they can also be bullied. For example, almost equal numbers of workers with and without supervisory responsibility report being bullied in the previous nine months, and 9% of senior managers report being targeted by bullies. However the most common type of bullying is by a manager against a subordinate.

Workplace bullying is also a major concern for safety representatives. The TUC survey of safety representatives published in 2006 showed that one in three safety representatives say bullying as a problem in their workplace with 15% viewing it as a major hazard of concern to workers. However within the public sector the figure rose to 18%.

## The cost of bullying

The main cost of bullying is to the individual being bullied. Stress and ill health can become part of the daily life of those being bullied. Symptoms can include: anxiety, headaches, nausea, ulcers, sleeplessness, skin rashes, irritable bowel syndrome, high blood pressure, tearfulness, loss of self confidence, and depression. In addition employers pay a high price for failing to tackle bullying because of lost time by staff being affected by stress and ill health, lost incentives when morale is low and reduced work output and quality of service in organisations where bullying is endemic. Also workplaces with a culture of bullying are likely to have a much higher staff turnover.

However it must be recognised that bullying is not just a question of an individual picking on someone weaker or more vulnerable than them. Often it is a symptom of the culture within the organisation. If an employer makes it quite clear they will not accept bullying, and are prepared to take action against anyone found to have bullied a colleague then bullying can be stopped in its tracks.

## The Law

Employers who fail to tackle bullying are breaking the law. All employers have a legal duty under the Health and Safety at Work Act to ensure the health, safety and welfare of their employees. That includes protection from bullying and harassment at work. The Management of Health and Safety at Work Regulations also require employers to assess the nature and the scale of workplace risks to health and safety, ensure there are proper control measures in place, and take action to remove or avoid these risks wherever possible as far is as reasonably practical.

The Health and Safety Executive also states that "there should be systems in place to deal with interpersonal conflicts such as bullying and harassment".

The Employment Rights Act 1996 allows employees to claim unfair dismissal if they are forced the leave their job because of actions by their employer or a failure to deal with any complaint. This can include failure by the employer to protect their employees from bullying and harassing behaviour. Often harassment is motivated by a workers sex, sexuality, race or disability and in these cases claim may also be able to be taken under the appropriate equality legislation. Causing a person harassment, alarm, or distress is also a criminal act and in certain circumstances the police can charge the harasser with a criminal offence. Also under the Protection from Harassment Act 1997 victims of harassment can seek civil injunctions against behaviour, which causes distress.

However the priority for trade unions must be to prevent people being bullied in the first place. That means trying to eliminate it from the workplace. To do that it is important to focus on the bullying behaviour rather than the bullies themselves. This recognises that some people who bully do not do so knowingly, but specifically reflect a culture that is being allowed to develop within the workplace.

## What safety representatives can do

There are a number of positive steps that safety representatives can take to raise awareness and tackle bullying in the workplace.

Use posters and leaflets to raise the issue of bullying with members, and take the opportunity of discussing bullying with them to see if they think that there are any problems. Safety representatives should report their concerns and those of their members to management.

Safety representatives can use their routine inspections, or undertake special inspections to speak to members about bullying at work

One of the best ways of assessing the scale of bullying within the workplace is to survey members. This can gather evidence on the scale and extent of bullying in the workplace and can either be done by the union or jointly with management. Any survey must be strictly confidential, but it is important that staff receive information on the overall findings from the survey. The results from any survey can help employers develop a policy on dealing with bullying and can also be of use in trying to change the behaviour of individual managers and staff. There is a sample survey form at the end of this guide, but please adapt it to make sure it is relevant to your workplace.

# Negotiating a policy

However the responsibility to deal with bullying lies with management. To deal with bullying effectively, it must be seen as an organisational issue and action to prevent it must focus on stopping unwanted behaviour in general. If an employer simply concentrates on individual acts of bullying by blaming individuals, the underlying cause, which is often a management culture of bullying, will not be tackled.

Safety representatives should aim to negotiate a policy on bullying with their employer. Ideally it should cover the following points:

## Principles

This policy should include a definition of bullying and harassment (it is important that staff are clear of what will not be tolerated) and a statement of commitment from the employer to tackle bullying and harassment. The policy must make clear that bullying and harassment will not be tolerated and that any complaints will be taken seriously.

## Duties of managers

Any policy should make clear that every line manager or supervisor has a responsibility for preventing or eliminating bullying and harassment.

## Prevention measures

The policy should outline what action will be taken to help prevent bullying and harassment at work including training of managers, support networks and information to staff.

## Support

Because many workers will not raise their concerns with their line manager, sometimes because the line manager is the person who may be the bully, it is important that there is a method of accessing help independent from a line manager. This can be a Human Resources officer, a bullying contact officer, or a phone line to an outside body that can provide support and assistance.

## A procedure for complaints

There must be, within the policy, a procedure to deal with complaints. This may be part of the normal grievance procedure, or separate from it. However in many cases the normal grievance procedure may not be sufficient, particularly if the line manager is the person who is alleged to be the bully. Therefore the procedure must allow complaints to be heard at a level above the line manager. The procedure should also ensure that where an allegation is made, the person who is alleging they are being bullied, is not moved unless at their own request. Instead the alleged bully should be moved if such action is deemed necessary.

The procedure should ensure that, where an allegation is made, the alleged bully is given the opportunity of changing their behaviour. Often a bully is completely

unaware that their behaviour may be seen to be unacceptable and the procedure should be flexible enough to allow matters to be raised informally at an early stage to see whether there can be a behaviour change without more formal measures being used.

## Information and training

Any policy must be notified to all staff including contract staff. It should also be raised at induction training.

In addition it is important that all managers are trained on what may constitute bullying, identifying it, and the employers procedures. They should also be made aware of their responsibilities in preventing or eliminating bullying.

## The role of trade unions

The policy should encourage anyone who feels they may be being bullied or harassed to contact their trade union immediately.

## Access to support

Many employers have arranged access for staff to an independent professional counselling service that can provide confidential advice to any person who feels they may be being bullied or harassed. Staff should be encouraged to seek support and the counselling service should be aware of the employer's procedures for dealing with bullying.

## Monitoring and reviewing

As with all policies, the policy should be monitored and reviewed regularly.


# Further information

There is advice for individuals on bullying on the TUC website at:
http://www.tuc.org.uk/tuc/rights_bullyatwork.cfm

In addition, ACAS have produced guidance on bullying and harassment at:
http://www.acas.org.uk/a_z/bullying_harassment.html

The main charity working in this area is the Andrea Adams Trust. They produce resources and help on workplace bullying
http://www.andreaadamstrust.org/

Many trade unions have draft policies on bullying available on their website.

# Draft Survey on Bullying

This survey is totally confidential and is being conducted to get an idea of the extent of bullying that may exist in XXXX. Bullying means the misuse of power or position to intimidate or humiliate someone on a regular and persistent basis. Workplace bullying is usually, though not always, carried out by people in positions of power. Bullying and abuse can also come from work colleagues or members of the public.

☐ Male
☐ Female

Have you ever been bullied at this place of work          YES/NO

Are you currently being bullied          YES/NO

Have you seen anyone else bullied          YES/NO

(If you have answered yes to the first two questions please complete the following, otherwise please go to the end.)

If you are being bullied or have been bullied, who was responsible?
(please tick boxes)
☐ Line Manager
☐ Other Manager
☐ Member(s) of the public (customers, clients, etc)
☐ A colleague
☐ A group of colleagues
☐ Other (please give details)

_____

_____

What form does or did the bullying take?
☐ Threats
☐ Shouting or verbal abuse
☐ Humiliation
☐ Excessive criticism
☐ Constantly changing instructions
☐ Excessive workloads
☐ Setting unrealistic targets
☐ Refusing reasonable requests (i.e. for leave or training)
☐ Other (please specify)

_____

_____

How has bullying affected you?
- ☐ Loss of confidence and self esteem
- ☐ Anxiety
- ☐ Depression
- ☐ Headaches
- ☐ Loss of appetite
- ☐ Loss of sleep
- ☐ Irritability
- ☐ Increased alcohol consumption
- ☐ Increased use of tobacco
- ☐ More time off work
- ☐ Fear of going to work
- ☐ Other (please specify)

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Have you raised the problem?                                    YES/NO

If yes, who with?
- ☐ Line Manager
- ☐ Other Manager
- ☐ Human Resources/Personnel
- ☐ Union representative
- ☐ Colleagues
- ☐ Other (please specify)

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Was action taken? If so, what action was taken?

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If action was taken, did the situation improve?            YES/NO

Any other comments?

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Please return to xxxxxxxxx by xx/xx/xxxx