

Inside**Out**[®]

How to Identify and Stop Bullying in The Workplace: A Guide for Employees and Employers



There is a perception that bullying only happens at school and occurs between children in the playground. It is hoped that adults do not bully. Unfortunately bullying in the workplace is more common than you may think.

A critical boss, an undermining colleague, a dismissive team, discrimination, there can be many examples of different types of bullying that can take place. In just one year, conciliation service ACAS had around 200,000 calls about bullying and harassment at work, with many people afraid to speak up about being treated badly by co-workers and managers. As workplace bullying is on the rise, this guide is designed to help both employees and employers to overcome bullying culture.

How to spot bullying

Although there is no legal definition for workplace bullying, HSE explained that it involves negative behaviour targeted at an individual. Often, victims of bullying feel worried about speaking up in case it impacts their employment or worsens the situation. In some cases, when they have had the courage to speak up, it is met with a dismissive attitude from managers and put down to simple personality clashes or statements such as: "I am sure she did not mean it" or "We are not here to make friends". This can be harmful to employees' wellbeing and may result in sickness episodes or eventually termination.

When working within an organisation, all staff deserve to feel supported and comfortable and all staff have a responsibility to report unfair treatment, bullying and harassment. Although overt bullying can be obvious to see, it can also take the form of more subtle, passive intimidation and put downs, with the transition to online working making this even more difficult to spot.

Some examples for bullying in the workplace

Name-calling

Whether you're receiving abusive messages on an internal system or being called out in the office, having someone call you names is unpleasant and demoralising. It's bullying!

Ignoring, isolating or excluding

Deliberately ignoring someone, or excluding them from relevant meetings are ways of intentionally making someone feel isolated.

Belittling

Equally, if someone contributes only to be made fun of or have their opinions discounted as bad or false, it can be considered bullying. This kind of undue criticism is unnecessary, as any good manager should be able to provide feedback in a constructive way.

Scapegoating

Someone might think it gets them off the hook, but blaming others for mistakes is a sign of something much worse – that you're willing to bully.

Manipulation of roles

Making threats about job security or purposefully blocking someone's progress at work, by removing their responsibilities without good reason, is a misuse of power.

Setting you up to fail

Being set unachievable tasks or targets, designed to see an individual fail, is an example of workplace bullying.

Spreading rumours

This kind of playground behaviour can have a huge impact on the general well-being of the victim.

Giving you meaningless tasks

Everyone has to take their turn to make a round of hot drinks, but if you keep getting set all the worst jobs, it could be a sign of bullying.

Aggressive behaviour

Any form of aggressive behaviour, such as shouting or intrusion of personal space, is unacceptable. Employees shouldn't feel scared in the workplace, even if they've made a mistake.

Bullying is not in your job description. You do not have to put up with anything that makes you feel unhappy or uncomfortable. Some people worry they're being oversensitive, but bullying is likely to affect your self-esteem, not to mention your performance at work, as well as your home life. You shouldn't underestimate how it can make you feel. Nor should you put up with terrible excuses.

Sometimes bullying can be disregarded by the employer using the explanations below:

- A clash of personalities
- Character building
- A type of leadership style
- Provoked by the victim

However, being excluded, threatened, or intimidated, is NOT an example of clashing with someone. Trying to pass bullying off as a management style or as the victim's fault is unacceptable. If you're unsure, ACAS suggest asking yourself the following questions to determine whether the way you're being treated is acceptable or not:

- Has there been a change of management or organisational style to which you just need time to adjust – perhaps because you have a new manager or work requirements?
- Is there an organisational statement of standards of behaviour that you can consult?
- Can you talk over your worries with your personnel manager, your line manager/supervisor, union representative or colleagues, who you may find share your concerns?
- Can you agree changes to workload or ways of working that will make it easier for you to cope?

To stamp out early signs of bullying, employees need to feel comfortable to discuss changes. If you answered "NO" to any of the questions above, **it's likely your worries about being bullied are justified.**

Bullying, harassment and the law



It might come as a surprise to some, but bullying isn't against the law. However, if a colleague or superior is being offensive and intimidating, it could be considered harassment – and could be illegal under the Equality Act 2010.

Under this act, harassment is defined as: “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”. The protected characteristics are:

- Age, sex, or sexuality
- Gender reassignment
- Marital status, pregnancy, maternity/paternity
- Your race, religion, or beliefs
- Disability

An example of harassment:

At work, some of your colleagues keep making comments and jokes saying you're gay. They call you names and have on occasion left things like gay adult movies and magazines on your desk. They all know you're not actually gay. You could have claim for harassment related to sexual orientation.

Although harassment can be a one-off incident, it's more frequently a series of incidents or bullying which takes place over time. Indeed, bullying can be unlawful harassment under the act if it's related to one of the protected characteristics.

ACAS define bullying as: *"offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient."*

The impact of such behaviour can be the same as harassment. In fact, the two terms are often used interchangeably.

However, unless bullying amounts to something which would be defined as harassment in the Equality Act 2010, it's not possible to make a complaint to an employment tribunal about it. Nevertheless, employers have a 'duty of care' for all their employees and should be taking steps to prevent bullying occurring in the first place.

Constructive dismissal and employee rights explained

If you feel that the mutual trust and confidence between you and your employer has been broken, you don't have to continue working there. If you've been bullied and harassed at work, you may be able to resign and claim constructive dismissal at an employment tribunal.

Before you do though, we recommend reading the rest of this guide. If you have any queries, it's also worth seeking professional advice. Solicitors are obliged to give you a 30-minute free consultation to find out if you have a case. They'll ask you to recollect events, dates, and any specifics or evidence you may have to see if you've got a valid case against your employer.



What to do if you're being bullied



The Trades Union Congress (TUC) has claimed that every organisation should have a zero-tolerance anti-bullying policy. This belief that no-one should be put in the position where they dread coming to work is widespread, but taking the first steps to tackle bullying can be the most difficult.

The first steps to deal with bullying in the workplace

1. Get to know your company's policy

Your employer should have a policy on behaviour in the workplace, including information on bullying. Find out all the details you can, including processes for informing supervisors and the steps you can expect them to take.

2. Start informally

If you feel safe enough, the best thing you can do is to first talk to the person who is bullying you. In some cases, they might not be aware how their behaviour is affecting you. Talking to them may cause them to reflect on how they've treated you.

3. Make management or HR aware

In many instances, it isn't possible to confront the perpetrator head on. Instead, you've got to make the relevant people aware of what's going on. Whether it's management, HR, or your trade union, they'll be able to take steps on your behalf to resolve the issue.

4. Keep any evidence

Gathering a record of the date, times, place, details and names of any witnesses of any bullying could prove invaluable if anyone asks you to substantiate your claims. Save any horrible emails, and document the times you've been left out of relevant meetings.

5. Find someone to talk to

Bullying is a stressful thing to go through. You shouldn't have to experience it alone. Having someone you trust to talk to will help you minimise the impact it has on your life.

6. Make an official complaint

If you feel like your problem hasn't been taken seriously by those you informed at work, and the bullying hasn't stopped, you can seek to make an official complaint via the usual grievance procedures. Your employee handbook will detail this process.

What to do if you're being bullied by a manager or boss

Unfortunately, it's common for bullying to come from your superiors. Those who've experienced a bad boss in the past will understand how much it can affect your daily life to have someone in charge that lacks respect for others at work.

This type of bullying often arises due to an unequal balance of power, with managers attempting to control the behaviour of their subordinates through coercive methods," says Shainaz Firfiray, assistant professor of organisation and human resource management at Warwick Business School.

Just because they're in charge of you, it doesn't mean they can get away with bullying. The policy of any good company will include a designated colleague who you can talk through your concerns with, without fear of being punished for side-stepping your manager. You can show them your diary of events and discuss whether the behaviour was acceptable or not and make decisions on where to go next.

What's more, confidentiality is a key part of the complaints process. You should always be treated fairly and sensitively.

Deciding whether to take legal action

Taking legal action shouldn't be your first port of call. But if you feel, despite all your attempts, no progress has been made to stop the bullying, it's time to get advice on your legal rights.

It's important to have tried to resolve the problem with your company first. When you make a claim to an employment tribunal, that's one of the first things they'll ask you. If you can show them a record of the mistreatment, your efforts to resolve the issue, and the inaction from your company, then you could have a claim for constructive unfair dismissal. Bear in mind the following facts:

- You need to have worked for your employer for 24 months
- It needs to be considered harassment under the Equality Act 2010

According to the Equality Act, something can be counted as harassment where the behaviour is meant to or has the effect of either:

- Violating your dignity
- Creating an intimidating, hostile, degrading, humiliating or offensive environment

What employers can do to prevent bullying

As an employer, you have a responsibility for your employees. Not only is it the right thing to do, but you have a legal duty under the Health and Safety at Work Act to ensure the health, safety and welfare of their employees – and that includes protection from bullying and harassment. With offensive behaviour affecting workers from the shop floor to the C-Suite, it's something for bosses to take seriously.



What bullying means for your business

Without a doubt, workplace bullying will have a detrimental impact on businesses. The cost of bullying-related absenteeism, turnover and lost productivity adds up to £13.5 billion every year.

It is in the interests of every business to make it clear that bullying will not be tolerated, as the effects include:

- **Poor employee relations**
Teamwork is vital for most businesses. Productivity improves when everyone gets along, rather than throwing each other under the bus.
- **Hostile working environment**
Similarly, a negative atmosphere can be awful for motivation levels. A low morale is infectious and can be difficult to get rid of.
- **Inefficiency**
When distracted by the presence or threat of bullying, people struggle to focus on their work. Trying to get the best out of people by frightening them will never work – you have to support them.
- **Potential loss of staff**
Not only could you lose staff, but if news spreads about a negative environment in your workplace, you'll struggle to attract new talent.
- **Loss of respect for superiors**
Seeing those in charge disregard bullying will quickly cause people to lose respect for them.



Top tips for creating a policy on bullying and harassment

Of course, all organisations – no matter the size – should have well-known procedures in place for dealing with grievance and disciplinary matters, including information on which staff employees can turn to for work-related problems.

To stop such problems from occurring in the first place, a good policy on accepted behaviour should include:

- A statement of commitment from senior management
- Acknowledgement that bullying and harassment are problems for the organisation
- A clear statement that bullying and harassment is unlawful and will not be tolerated
- Examples of unacceptable behaviour
- A statement that bullying and harassment may be treated as disciplinary offences
- The steps the organisation takes to prevent bullying and harassment
- Responsibilities of supervisors and managers
- Confidentiality for any complainant
- Reference to grievance procedures (formal and informal), including timescales for action
- Investigation procedures, including timescales for action
- Reference to disciplinary procedures, including timescales for action
- Counselling and support availability
- How the policy is to be implemented, reviewed and monitored.

You could also add information about sources of emotional support. More than anything, though, leaders should be setting a good example to those around them. No matter what a policy says, if someone in charge is treating others badly, it will be seen and accepted as the norm. The way managers treat others is just as important as any formal policy. It's alarming how quickly bad behaviour can infiltrate through a team.

Instead of taking an authoritarian management style, get to know those you work with and consult with colleagues. Encourage openness and be the sort of person others feel comfortable talking to. After all, the signs of bullying are subtle and could easily slip past you, especially if you've got a hectic schedule. You must ensure employees feel happy coming forward with any concerns. That's not going to happen if you've been unsympathetic or aggressive before.

The Importance of a HR Department, Counselling and Mediation

Dealing with and investigating complaints promptly and objectively requires a specialist set of skills. Not every manager will be equipped with the necessary experience – hence why people in HR are such valuable resources to companies. The perception of bullying can vary between individuals, making it important to consider all circumstances before reaching a conclusion. HR professionals are trained to do this sensitively.

However, HR doesn't have the best reputation. There's a misconception they'll immediately start a formal investigation. But that's just one option in the HR tool belt. They're more likely to sit down with the target of bullying confidentially, listen to their concerns and discuss the options available.



Although some issues (such as sexual harassment or workplace violence) may require HR to make formal steps, the decision about what to do next is normally down to the victim. Having HR to support them through this process is beneficial for employee and employer. Options could include:

- Help with stress management
- Developing a strategy for working with or confronting the bully
- Creating greater awareness of bullying
- Advising the bully against further acts or retaliation
- Pursuing a formal investigation

Counselling could also play a role in dealing with bullying. It's a confidential avenue, perfect for an informal approach without the need for further formal actions. There might be someone trained in the company, or managers could contract counselling services. This should be paid for by the employer. Counselling is a great option if there's no reason for disciplinary action or there's doubt on the complaint.

Where an independent third person is needed, mediation can be used to resolve bullying issues. It's a voluntary process and helps find a solution that all parties can agree to, in order to fix the working relationship. Bullying can be the result of a lack of awareness and unintentional misunderstandings. In these instances, mediation is the ideal way to move forwards. Similarly to counselling, mediators could be internal or external.

Expert advice on cutting out bullying



Leadership development

It's important for those in charge to understand effective leadership practices, how to influence culture, the best ways of setting and managing expectations, as well as how to deal with conflicts. This isn't something that comes naturally to everyone. You've got to equip managers with the tools they need.



Creating a culture of well-being

Getting the right work-life balance is important in managing the stress levels of employees. Often it is when people are under pressure or stress that they lash out at others. Instead, focus on creating an environment where well-being is put ahead of deadlines and targets. It will pay off in the long run, when you've got healthy, committed individuals with the motivation to succeed as a team.



Awareness and education for workers

Not everyone knows what constitutes bullying, nor do they understand the impact it can have on others. As an employer, it's your role to increase the awareness of bullying and the affects it can have in the workplace. Educating your workforce will not only show you're committed to creating a safe environment, but improve everyone's understanding of how behaviour can be misinterpreted and cause offense.

Signs of a good employer

To try and prevent bullying from occurring, a good employer will:

- Have a policy in place for behaviour in the workplace
- Manage discipline and grievances at work
- Manage absences (victims of bullying often try and spend time away from the workplace)
- Provide HR management
- Have more than one HR contact
- Provide HR training in things like having difficult conversations
- Implement new employment legislation transparently



How to create a positive workforce?



To encourage your workforce, you've got to create an environment where everyone has the opportunity to flourish.

- **Make the company's core values clear**
The values you want your company to embody set the tone for the entire organisation. They serve as a filter for employees at every level to help decision making, opportunity identification and risk management. What's important to your business? Let people know.
- **Improve transparency**
Don't let any changes spread around the office as whispers and gossip. Employees want to know their primary duties, key working relationships and what is expected in terms of performance results. If anything is set to change those areas or how the business runs generally, make sure there's a structure in place so everyone is made aware.
- **Regularly offer up praise**
Motivating someone can be as simple as telling them when they've done a good job.

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- **Communicate goals clearly**
Knowing what the job expectations and targets are provides the clarity every worker needs to focus on their progress.
- **Provide freedom**
Once they know their goals, you don't need to watch over your employees like a hawk. Give them the space and opportunity to be creative and do things their own way. People like to feel they're trusted to get on with their job, rather than being micro-managed.
- **Regularly get feedback from your team**
If you want to know how happy people are at work, the best way is to ask them. Get to know the people you work with and consult with them on key projects. Everyone likes to know their opinion is valued.
- **Plan team building days**
Taking some time out of the usual office routine can do wonders for the well-being of your team. Encourage some team spirit by planning activities that encourage everyone to work together and build strong connections.



Start today

InsideOut can help you to achieve a zero-tolerance anti-bullying environment! Talk to us today.

References and resources



[ACAS: Seeking better solutions: tackling bullying and ill-treatment in Britain's workplaces](#)



[ACAS: Handling a bullying and discrimination case at work](#)



[Bullying in the workplace: Citizens advice](#)



[Harassment at work: Citizens advice](#)



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