

# **HARASSMENT & BULLYING**

## **Briefing for Managers**

# AIMS AND OBJECTIVES

- What constitutes harassment and bullying
- Similarities & differences
- Employee survey / background
- Barriers to complaints
- Effects of harassment / bullying
- Bullying / firm management?
- Prevention
- Tackling issues
- Our procedures – dealing with cases

# What constitutes harassment / bullying?

- “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.”
- “offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.”

(ACAS definitions)

# Similarities / Differences

- Both involve behaviour which harms, intimidates, threatens, victimises, undermines, offends, degrades or humiliates.
- Harassment is linked to anti-discrimination laws and will focus on a protected characteristic.
- Bullying is repeated inappropriate behaviour, direct or indirect and by one or more persons which undermines an individual's right to dignity.

# Similarities

- Similar behaviours
- Both unacceptable
- Negative effects

# Differences

- Physical factors / emotional factors
- One off / ongoing
- Apparent / Insidious

# Employee Survey

- No. of responses: 4500
- % of responses: 30%
- Bullied / Harassed? 359
- % Bullied Harassed 7.5

# Barriers to Complaints

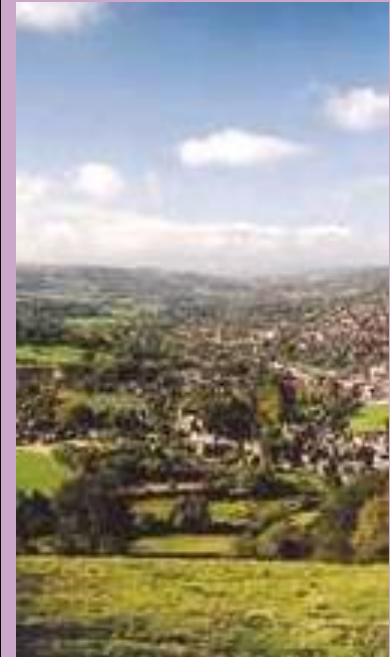
Why do people not come forward with complaints?



# Effects of bullying / harassment

For the individual:

- Physical symptoms
- State of mind
- Behaviour
- Negative outlook



# Effects of bullying / harassment

## For the organisation

- Reduced productivity
- Increase in absenteeism
- Premature ill health / retirement
- High levels of staff turnover
- Damage to reputation
- Costs of legislation

# Bullying or Firm Management?

- Differentiation - bullying / harassment or firm management?
- Firm management
  - Positive
  - Clear
  - Fair
  - Consistent
- Subjective?

# Bullying or Firm Management

## Strong Management

- Set a good example
- Consult employees
- Discuss problems
- Direct / clear instructions
- Give explanations
- Listen to feedback
- Communicate expectations

# Bullying or Firm Management

## Bullying

- Making threats
- Handing out physical / verbal abuse
- Humiliating people in front of others
- Refusing to listen to staff concerns
- Ignoring people for promotion
- Needlessly reviewing someone's work
- Sending intimidating or hurtful emails or text messages – cyber bullying

# Tackling bullying / harassment

- Why might staff find this difficult?
  - Fear of confrontation
  - Fear of the consequences
  - Fear they may be next
  - Relief – it is not them being picked on
  - May even collude with the bully to avoid attention

# Tackling bullying / harassment

- How to tackle it
- Take the lead
- Tackle it where necessary
- Clarify expected behaviours
- Constructive criticism
- Destructive criticism

# Constructive Criticism – Strong Management

Focuses on

- Actions and behaviours
- Facts
- Examples
- Explanations
- Improvements



# Destructive Criticism – Bullying

Focuses on

- Aggressive behaviour
- Personal insults
- Allocating blame
- Focusing on current situation



# Preventing Harassment & Bullying

- Quickly
- Standards of behaviour
- Examples
- Head on

# Responding to allegations

- Informal where possible
- Consider it seriously
- Make time immediately if possible
- Confidentiality
- Listen to the complaint
- Don't promise a result
- Explain the policy

# Responding to allegations

- Explain options
  - direct approach – personal
  - direct approach – supported
  - indirect approach
- What to cover in the conversation

# Formal complaints

- Seriousness of problem.
- Reoccurrence of problem.
- Dissatisfaction with result.
- Personal choice.

# Undertaking an Investigation

- Timeliness
- Prepare in advance
- Complainant
- Person being complained about
- Witnesses
- Confidentiality
- Notes
- Facts – not opinions

# Outcome of an Investigation

- Upheld – Disciplinary
- Not Upheld – Conciliated
- Not upheld – Not conciliated

# After the event

- Monitor the situation
- Consider mediation
- Relocating employees