

THE DEFINITIVE GUIDE to workplace bullying.

A publication by



Work In
Confidence

HOW
ARE
YOU,
REALLY?

OVERALL MURALS
SINCE 2009

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Introduction

Bullying and harassment can create a miserable and unproductive work environment – which, from a business point of view, can be extremely costly.

You only need to read the latest study published in the journal *Public Money and Management*. This study used data from NHS Digital to gauge the impact of bullying on sickness absence, employee turnover, productivity, sickness presenteeism and employee relations. The combined factors produced an overall figure of £2.3 Billion per year cost to the NHS.

Throughout the book, you will come across **downloadable guides** to help you communicate your vision and policies with your employees. Please feel free to utilise them in staff handbooks, notice boards and your organisation's onboarding processes.

The aim of this e-book is to provide you with information on:

- Definition of workplace bullying.
- How to spot potential bullying in your organisation.
- Legal guidelines.
- What it may be costing you as a business and, more importantly.
- How to put practices into place to put a stop to it and create a zero-tolerance culture in your organisation.

What is Workplace Bullying?

Did you know that there is no legal definition of workplace bullying? Whilst most of us think we probably know what workplace bullying is, it is worth taking a step back to define this.

“Bullying and harassment is any unwanted behaviour that makes someone feel intimidated, degraded, humiliated or offended” - ACAS

These are some of the ways that bullying might be being presented and are what you should be looking out for:

- Persistent mistreatment of or by another person in the workplace, often causing emotional or physical harm;
- Typically includes intimidation, degradation, and humiliation of the victim;
- Can include verbal, nonverbal, psychological, or physical abuse;
- Could be a one-off event but is more often a series of events or a pattern of behaviours over a period of time;
- Will often, but not uniquely, involve a person with authority over the victim, such as a line manager or other manager;
- Can be covert or overt.

Bullying may be missed by superiors; it may also be known by many throughout the organisation. Bullies can also be peers or even subordinates.

In some circumstances the protagonist may be very aware of their behaviours, in others, there may be a belief on the part of the bully that what they are doing is entirely acceptable.

See also later in this book on “The 'Accidental' Bully”.

What Is Unacceptable Behaviour?

...including some grey areas

Whilst the following doesn't necessarily mean bullying is present, if these signs are present on a repeat basis, particularly involving the same person(s), it's a good indicator that you may have a workplace bullying problem.

- **Aggression (active or passive):** such as shouting or raised voices, is not acceptable. Your staff should not feel intimidated, physically or emotionally, in the workplace.
- **Inappropriate comments/chat/jokes:** Remarks that are out of place and or targeted at one person can be an indicator of bullying. We would also include ridiculing or demeaning.
- **Spreading rumours:** Gossiping and malicious rumour spreading about an individual can be demeaning and damaging to that person and is one sign of bullying.
- **Exclusion, marginalising, excluding or side-lining:** Excluding someone from decisions or responsibilities can be a covert way of exerting power inappropriately and may be part of a pattern of bullying behaviour.
- **Allocating atypical tasks for the role:** Singling a person out for jobs outside of their remit (often coupled with reduced responsibility or status) can be a part of bullying behaviour.
- **Blaming, scapegoating, undermining or picking on someone:** Persistently blaming one person for the actions of others is often a sign of someone being manipulative and possibly a bully.
- **Role manipulation / Unwarranted removal of responsibilities:** Removing responsibilities from an individual without reasonable justification can be a controlling and demeaning behaviour, used as a power play and can be a sign of bullying.
- **Unreasonable expectations and setting up to fail:** Setting someone challenging tasks can be stimulating; Setting them unreasonable expectations in which they are bound to fail can again indicate bullying.
- **Unfair or public criticism:** Criticism is very different to setting expectations or dealing with performance issues and can often be the start of a pattern of bullying.
- **Failure to provide recognition:** You may raise eyebrows at this, but recognition is a basic human need and part of a healthy working environment. Whilst it may not always be at optimal levels, if lack of recognition is aimed persistently at one person, it can be part of a pattern of bullying.

Summary Definition of Workplace Bullying

Unfair treatment of one or a group of people which is likely to cause them to repeat, material discomfort or cause them to feel diminished along with feeling abnormally apprehensive around others.

The “Accidental” Bully

What is meant by the term "Accidental" Bully?

We have all seen them. Most of us have worked with them. Many of us will have failed to hold them to account.

At first glance, you feel they are easy to distinguish from the communal garden variety of vindictive narcissistic bullies. Because of this, they often pass unnoticed and unchecked in an office environment.

We are, of course, talking about the Accidental Bully. The Accidental Bully can be just as toxic towards your organisation as their more deliberate cousins.

Often, they are not aware of the carnage they wreak around them, which sadly, frequently goes unnoticed by senior managers.

The Accidental Bully may be perceived as a key player in the team. They may be charismatic, they may be professional in many aspects of their work, but they are capable of destroying morale, team spirit, employee engagement and lives.

Be on the lookout for any accidental bullies in your organisation and make sure that you deal with them in the same way as any other bully.

Take a look at the Employers Guide later in this book.

What are they doing behind your back?

- Casually putting people down
- Dismissiveness to colleagues – particularly junior ones
- Going for the cheap laugh at the victim's expense
- Aggressive or overbearing behaviour to colleagues
- Generally demeaning behaviour
- Impervious to the thoughts of others.



Bullying – Sadly a Growing Business!

It seems counter intuitive. One might expect society and workplaces to be improving all the time, particularly with the advent of new technologies and the ability to gain greater insights. Sadly, that does not appear to be the case.

"Our analysis reveals that bullying is on the rise in Britain, and it is more likely to be found in organisations that have poor workplace climates where this type of behaviour can become institutionalised."

Representative surveys of workplaces, health and safety representatives and employees all show that workplace bullying and ill-treatment is growing in Britain.

It appears that bullying also follows trends in following other areas of societal bias and this is something worth watching out for in your organisation.

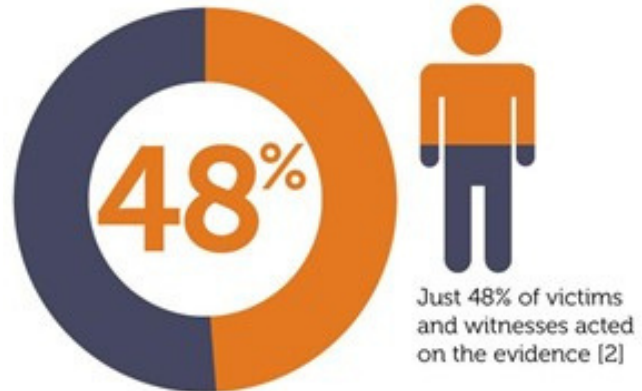
"There are more incidences of bullying within certain groups such as public sector minority ethnic workers; women in traditionally male-dominated occupations; workers with disabilities or long-term health problems; lesbian, gay and bisexual and transgender people; and workers in health care."



Sir Brendan Barber
ACAS Chairperson

The Shocking Facts

Bullying in organisations is endemic, frequently overlooked or unreported and thoroughly toxic. It creates stress, affects motivation and mental wellbeing, destroys lives (literally) and erodes business. Here are a few fairly well researched facts. They are far more shocking than many people would realise.



- 1] Slater & Gordon Survey 2015;
- 2] Slater and Gordon Survey 2015;
- 3] ACAS study 2015;
- 4] NHS Staff survey 2017



Cost and Effects of Bullying

The Cost of Bullying on the Economy

It is easy to overlook the effects of bullying on organisations, but the costs in human terms, and financially are enormous. ACAS suggest that:

"The economy-wide impact of bullying-related absenteeism, turnover and lost productivity in 2007 was estimated as £13.75 billion and a 1.5 per cent reduction in overall UK productivity – equating to a financial impact on GDP of approximately £17.65 billion."

That is equivalent to around 14% of the NHS budget. Across a UK workforce of 34.4m people that amounts to £545 per member of the workforce.

The Effects of Bullying

Loss of Self Esteem: Victims of bullying are almost certain to suffer a marked loss of self-esteem and poor morale.

Personal stress for the victim – and often their families: Being bullied at work is hugely stressful for victims. Many will struggle alone, sometimes believing it is their own fault. This stress is not left at the office door but taken home and affects families and lifestyles. In the most severe cases, bullying can lead to depression, poor health and in extreme cases - suicide.

Reduced performance: Victims of bullying will often become less confident and more hesitant in decision making and suffer from materially reduced concentration and focus.

This will not only affect the performance of your organisation but may also have severe health and safety consequences in some organisations.

Reduced engagement, motivation and productivity: The combination of the above will almost certainly lead to a markedly reduced reduction in engagement and productivity by the victim. Along with a loss of respect for management.

Reduced engagement: Colleagues: Whilst they may not be a party to it (either as a victim or perpetrator), colleagues of bullies may themselves feel worried, less engaged and less committed to their organisation, reducing performance.

Medical complaints / Increased sick leave: Some surveys have suggested that up to 75% of victims of bullying take time off work as a result. Stress from being bullied will frequently result in both mental and physical impacts on the victim.

Increased staff churn: A number of studies have indicated that staff who have suffered from bullying are more likely to leave their jobs. Some studies put this at up to 50% of victims quitting their jobs. This results in exit costs, costs of being without staff for an interim period, recruitment, training and onboarding costs.

Legal: Legal costs – Tribunal and compensation costs can be huge where bullying occurs in an organisation and is successfully challenged through the courts.

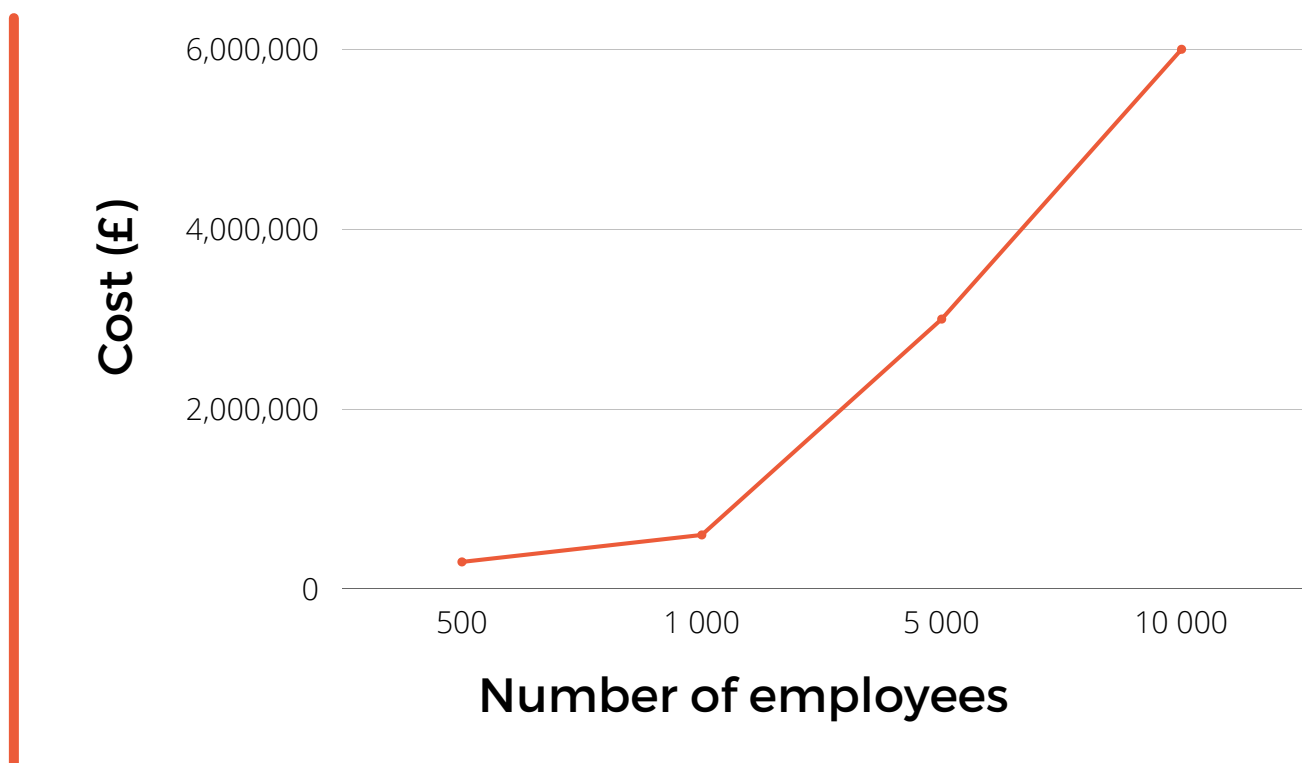
As an employer, you have a duty of care to employees.

If bullying takes place in an environment where you could reasonably have been expected to know about it or have been expected to tackle it, costs could rapidly mount up.

The Cost of Bullying on you – the Employer

Whilst we should all be tackling bullying, one powerful way to move the focus in your organisation is to understand the costs of bullying to the organisation.

If you are an “average” organisation, based on the ACAS figures, bullying could be costing you this:



A work-stress survey, conducted by the UNISON City of Glasgow branch using the HSE Stress Management Standards, found that 23% of respondents were always, often, or sometimes bullied.

Using this figure and other publicly available figures it is possible to calculate what the various elements related to workplace stress could be costing.

In the example above, we have taken an organisation of 5,000 employees and assumed that the average salary there was £27,600. This was the UK average salary in 2015 when the last figures were available. This, of course, doesn't include any add-ons that might be relevant.

Your organisation may have a different number of employees and average salary, but the following will give you an idea of the scale of the costs.

Cost	Total per annum
Based on 5000 employees your organisations total wage bill (before add-ons) is estimated to be	£171,600,000
Cost of loss of productivity from those being bullied*	£1,716,000
Cost of additional sick days taken**	£204,286
Cost of recruiting and training staff that leave due to bullying***	£375,000
Legal cost for a modest number of tribunals	£75,000
TOTAL	<u>£43,635,429</u>

Average annual salary of £26,400 plus 30% on cost (NI, admin, support)

* 5% of staff bullied to extent perform 20% less well

**5% of staff take 5 days off per annum due to bullying

*** 1 in 200 staff leaves because of bullying and all in cost of leaving and replacing £15,000

Want to know what bullying & harassment could be costing your organisation? Find out with our [quick and easy online calculator](#).



Understanding the Barriers to Speaking Out

There are a number of reasons people don't raise concerns over bullying and harassment. Understanding these barriers can help you stand out and empower people in your organisation to raise bullying concerns.

Here are some of the barriers people experience over speaking out:

Fear: Fear that raising things may in fact make them worse for that individual. If the perpetrator finds out – it could make things much worse.

Colleagues: Group dynamics and loyalties can be complex. Being perceived as a troublemaker to others (even a bully), standing out from the crowd, reporting a colleague to management. In the wrong environment, or handled in the wrong way, these can all have adverse consequences for individuals. As far back as [Asch's research into the pressures around group conformity](#) in the early 1950s, it has been apparent that groups exert a powerful influence to conform, even where it may be patently obvious without the group influence that the group behaviour is incorrect.

Effect on your career: Managers alerted to bullying allegations may just re-structure the organisation and move staff around, rather than tackle the root cause.

Ridicule: "Will I risk looking stupid if I raise this issue?". "I may be wrong, surely someone else would be raising it if it was really a problem".

It would not be an exaggeration to say in some areas this has built into a learned collective fear of raising concerns.

Whether you feel that the above worries are justified in your organisation or not, understanding them will help you overcome and manage them more effectively.

The Law

This section relates to legal provisions and does not constitute legal advice per se. For detailed legal advice, you should consult a lawyer.

The Equality Act 2010

A government website on this area notes that “Bullying itself isn’t against the law, but harassment is”. This is when the unwanted behaviour is related to one of the following:

- age
- sex
- disability
- gender (including gender reassignment)
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sexual orientation

The Government is working through proposals to put a stricter duty on Employers to spot and tackle harassment. It seems likely that legislation imposing a positive duty to do this will be brought in in the midterm.

The above being “Protected Characteristics” under the [Equality Act 2010](#).

Unfair Dismissal

Employers have a duty of care for all their employees. This includes a duty to provide a safe working environment. If an employer breaches the mutual trust with an employee, for instance by allowing bullying to occur, or not taking reasonable steps to prevent it when this might reasonably have been expected, an employee may be able to resign and then bring a claim for constructive dismissal.

Health and Safety at Work Act 1974

Employers are normally responsible in law for:

- the acts of their employees whilst in the course of their employment; and
- the health, safety and welfare at work of employees.

It can be a breach of health and safety laws to fail to provide a safe working environment, including one free of being harmed by bullying. In addition, failure to protect an employee’s health and safety at work may constitute a breach of contract in some circumstances. For more information, visit www.hse.gov.uk.



Employer's Guide

Steps to stamping out bullying and harassment in your workplace.

Policy: Have a clear, well set out, accessible policy on bullying. Define what bullying is, how victims or witnesses should raise it and how it will be dealt with. Engage and involve staff in giving their input to this process.

Employees: Ensure that all your staff know your policy, know where to find it and have read it. Add to staff handbook and include in your on-boarding process.

Communication: Clearly and unequivocally communicate expected behaviours to everyone. Make it clear there will be no exceptions. The “star performer” who is treated as an exception is the quickest way to undermine your policy, as is poor practice at the senior management level.

Training: Train managers to create an environment where it is not tolerated, how to spot bullying when it does occur and how to tackle it.

Duty: Make sure senior managers are aware of their responsibility to call out bullying or the sorts of practice that may lead to it. Set a good example and lead by it.

Feedback: Create and promote a culture of respectful feedback. Make these behaviours the norm in all your day to day actions and celebrate them. That way, poor practices will stand out far more obviously.

Pro-Active: Tackle things quickly. If ever behaviours drift, an early conversation can be effective for the victim, the perpetrator, and the organisation. A quick, quiet word at the right time can stop the escalation. Act on the wrong sorts of behaviours early in the day.

Culture: Be honest as an organisation and get your operations right. If senior management is not honest and realistic, this may end up with referred problems elsewhere. Nurture honesty, integrity, authenticity and realism as core values in your organisation.

Reporting: Ensure there are appropriate routes to report. Make sure the reporting and escalation process is self-explanatory. There is a need for confidentiality and respect the right for the staff member to remain anonymous if desired.

Process: Ensure your grievance process is straightforward, fair (for all parties) and timely. Don't let things get brushed under the carpet or linger on.

Integrity: No repercussions. Ensure that anyone raising a concern in good faith do not suffer reprisals or damage to their careers from having done so.

Measure: Check whether you are getting it right. Ensure that your staff survey is carried out so that staff can trust and enables you to measure whether staff feel your organisation has a problem with bullying or is free from it.

Conclusion

We hope this e-book has demonstrated the costly impact workplace bullying can have on the individuals involved and the organisation itself. You don't have to be an organisation the size of the NHS, where workplace bullying is estimated to cost it £2bn a year, for it to have a significant cost.

You can't tackle bullying if you don't know about it, so make sure that you have a good speaking up process in place. [Download another of our free e-books, Building a Successful Speaking Up Process in your Organisation](#), to learn how you can achieve this.

Finally, WorkInConfidence provides the industry-leading anonymous dialogue system, [Protect](#), where staff can raise ideas or concerns and give candid feedback to management confidentially. With this in place, you'll tackle any issues that come to light and keep valuable employees in the organisation.

Book a free demo with one of our team at [WorkInConfidence](#) or Call us on 0845 383 1013 or email sales@workinconfidence.com

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