

A National Trade Union Side guide to: dealing with bullying and harassment



Contents

Introduction	1
The difference between bullying and harassment	1
What is workplace bullying?	2
The cost of bullying	5
What to do if you are being bullied	6
What to do if you witness bullying or harassment	9
Useful contacts	10

Introduction

The MRC expects all their employees to *“demonstrate high behavioural standards in their workplace by affording dignity, trust and respect to everyone; having an awareness of the effect of their behaviour on others; communicating honestly and openly and treating everyone consistently and fairly.”*¹

Bullying and harassment is not something that should be tolerated yet it can be difficult to take action against it when you are not sure what steps to take. The MRC Trade Union Side has put together this guide to give you some information on bullying and harassment, highlight some of the options you can take and offer you some sources for advice and information.

The difference between bullying and harassment

Although the terms bullying and harassment are often used interchangeably they are two different things. It is important to be able to distinguish between the two as the actions which can be taken differ depending on the type of charge being made. The main difference to note is that harassment is linked to prejudice against a specific characteristic a person has. This can be a real or perceived characteristic such as; age, sexual orientation, religion or disability, whereas bullying, although it can take the form of harassment, does not always happen because of prejudice.

¹ MRC Harassment & Bullying Policy and Procedure, p3

The MRC defines Harassment as:

...unwanted conduct related to a protected characteristic under the Equality Act 2010 that has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or is reasonably considered by that person to have the effect of violating his or her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for that person, even if the effect was not intended by the person responsible for the conduct²

The MRC states that bullying may be characterised as:

...persistent, offensive, abusive, intimidating, insulting, or malicious behaviour, language, action or conduct or misuse of power through means intended to undermine, humiliate or injure the recipient³

What is workplace bullying?

Bullying can be hard to define as what is considered bullying by one person may be considered strong management by another. However, it is not the intent of the alleged perpetrator which is the deciding factor but whether their behaviour is seen as unreasonable or unacceptable by normal standards.

Before taking action against someone you believe to be bullying, it is important that you take time to consider if this is really what is taking place. There may be a reasonable explanation for the actions of the person you regard as a bully. Think about some of the following reasons and ask yourself if you can eliminate them as a possible reason for the person's behaviour.

² MRC Harassment & Bullying Policy and Procedure, p5

³ MRC Harassment & Bullying Policy and Procedure, p4

- Is the person behaving uncharacteristically?
- Are they having a bad day/week?
- Has this type of behaviour happened before or was this a one-off?
- Is what is happening a result of you breaking MRC policy?

Bullying can take many forms such as; face to face, written, cyber or by telephone. It has been shown that bullying tends to happen in phases that are often referred to as Isolation, Control and Subjugation, and Elimination.” (Some examples of each phase are given below.

- **Isolation**
 - Frequent fault-finding and criticism of petty matters
 - Being excluded from what is happening and separated from colleagues
 - Not given the necessary information or support to be able to complete work
- **Control and Subjugation**
 - Given an unreasonable amount of work or normal workload replaced with menial tasks
 - Being held to a different standard than others and punished for things which colleagues evade punishment
 - Given unrealistic goals or having deadlines changes at short notice
- **Elimination**
 - Unwarranted disciplinary procedures are held for trivial or fabricated charges
 - Representation at meetings is often denied
 - Coerced into leaving through resignation, constructive dismissal, early or ill-health retirement

Those who are bullied may find themselves having to take part in a disciplinary or performance management procedure. Although these are legitimate procedures to allow employers to determine if an employee's conduct or behaviour has breached the organisations rules and regulations, they can also be used to control, subjugate or humiliate someone. The table below shows the difference between using these procedures correctly and incorrectly.

Correct usage	Incorrect usage
<ul style="list-style-type: none">• Informed at start of procedure that performance/conduct is under investigation• Informed of the reason why the procedure is taking place and understand why their actions or inactions have caused proceedings• Given information regarding the procedure from the beginning of process, told of their rights and given time to prepare and present your case• Treated with civility throughout process• Given their rights under the process, which included the right to appeal• Understand the reason for the outcome of the process even if it is not in their favour	<ul style="list-style-type: none">• Unaware that their performance/conduct is under investigation until after process has started• Unaware of the reason why the procedure is taking place and do not understand why the allegations have been made• Not given relevant information about the procedure, little information given on their rights and the importance of being prepared for the case• Is not treated with respect during process• Only given the minimum legal rights• Suspended when there is no good business reason to do so

The cost of bullying

Bullying has a wide reaching effect and impacts on business as well as the individual. Bullying often leaves victims feeling stressed and anxious which can result in them becoming physically and mentally ill. The knock on effect of this is that the MRC suffers too with productivity falling and victims of bullying taking time off work due to ill health.

The MRC are committed to providing a safe environment for all its employees. This included catering for mental as well as physical health. Since it has been recognised that bullying is a major cause of stress; the MRC are dedicated to helping those affected deal with this stress in the same way they would for any other workplace hazard.

Symptoms of stress and anxiety include:

Headaches, low self-esteem and confidence, high blood pressure, unable to concentrate, feeling tearful, fatigue, sleeplessness, panic attacks, frequent viral infections, irritable bowel syndrome

Some of the problems an organisation can face due to bullying include:

Low morale, high sickness absence rate, drop in productivity, loss of respect for managers, staff leaving the organisation, tribunal and court costs, damage to reputation

What to do if you are being bullied

If you feel that you have been bullied or harassed, it is important that you take action as soon as possible. Support is available and you do not have to cope on your own. Make sure you read the MRC's Harassment and Bullying Policy to find out what options are available to you.

- **Informal Process**

- If possible, speak to the person who is responsible for the bullying and ask them to stop. Let them know that you find their behaviour unacceptable and that it is not welcome. It may be that the person does not realise that they are causing offence.
- You may not feel comfortable approaching the person who is bullying you, even with someone with you, so consider sending them a written request asking them to stop what they are doing and explaining that their behaviour is causing you distress.
- Speak to your local trade union representative. They should be able to advise you on what options are available to you. Union representatives are also able to accompany you in any meetings or discussions you have regarding bullying and can act as a witness to these meetings.
- Speak to your manager about the problem. If it is your manager that is the bully then speak to their manager. Explain the situation and ask for their help in resolving it.
- Keep evidence of any positive feedback and past PDRs you have which show your ability to carry out your job.

- Keep a diary of events. Record what was said and done by everyone involved, including yourself. Also keep a note of any written evidence of bullying such as emails and letters. Each incident may seem trivial on its own but if recorded can show a pattern over time.
- Contact your HR lead to discuss the possibility of mediation. Mediation is used as a way for both parties to discuss the problem with an aim to understand each other's point of view and to find a solution suitable for both. It is completely confidential and with an impartial mediator.
- Speak to someone you trust about what is happening. You may find you are not the only person suffering or they may have witnessed bullying happening to you or another member of staff.

- **Formal Process**

If you have tried the informal process or you feel the bullying or harassment is too serious for an informal approach a formal complaint can be made. Be sure to read the MRC Harassment and Bullying Policy to ensure you follow the correct procedure. You should try to raise any complaints as soon as possible after the incidents have occurred or after the informal process has failed to resolve the issue.

After a complaint has been made, an investigation will take place. If after the investigation it is found that bullying or harassment has taken place, the incident may be treated as serious misconduct or gross misconduct under the MRC Disciplinary Procedure and could result in dismissal.

- **Sources of Support**

Whether you are using the informal or formal process to deal with your complaint, you can receive support and guidance from the below list of people within the MRC. A list of external contacts who also offer support can be found at the end of this booklet.

Sources of Support

- Recognised trade union representative
- Your manager
- HR managers
- Senior managers
- Work colleagues
- Mental Health First Aiders
- MRC Trade Union Side

All MRC policies, including the Harassment & Bullying, Grievance, and Disciplinary policies, can all be found on the National Trade Union Side website. www.mrc-tus.org.uk

What to do if you witness bullying or harassment

Bullying and harassment can affect those who witness it as well as the victims. Being a witness to bullying or harassment can leave you feeling vulnerable or worried that you too may become a victim. It can also make you feel helpless to do anything especially if the victim seems to be ignoring the bullying or not taking any action.

It is important that if you witness an incident of bullying or harassment that you report it to management as soon as possible. If you do not feel you can speak to a member of management about the incident talk to your trade union representative for advice on how to deal with the matter.

You should also try to speak to the individual that was subject to the bullying or harassment and make them aware of the MRC Harassment and Bullying policy.

Useful contacts

- **Employee Assistance Programme (EAP)**

0800 116 4368

www.lifestyleaction.net (login details: Username – RCUK;
Password – employee)

This is a 24 hour confidential counselling service provided for MRC employees by an independent company.

- **ACAS**

0300 123 1100

www.acas.org.uk

- **National Bullying Helpline**

0845 22 55 787

<http://www.nationalbullyinghelpline.co.uk>

- **Bully on line**

<http://www.bullyonline.org/workbully/amibeing.htm>

- **TUC**

<https://www.tuc.org.uk/workplace-issues/health-and-safety/bullying/bullied-work-dont-suffer-silence>

- **Bullying UK**

0808 800 2222

<http://www.bullying.co.uk/>

- **Workplace Bullying**

<http://www.workplacebullying.co.uk/>

- **Samaritans**

08457 90 90 90

<http://www.samaritans.org/>



Copyright © 2015 MRC National Trade Union Side

All Rights Reserved