

Managing the Bully Checklist 225



Introduction

Bullying at work damages the health, self-esteem and morale of both those who feel they are being bullied and those who see it occurring. The human costs for people who are bullied are high in terms of long-term health problems, perceived job insecurity, and effects on private life. Occasionally, people who are badly bullied at work may eventually commit suicide.

Bullying can have serious effects for employers, possibly through legal action, but also because it can undermine productivity and performance. If undetected, one bully can increase employee stress levels and resignations, causing associated costs in absenteeism, recruitment, and job training.

No single current law deals directly with how employees are treated at work, but a range of legislation can be relevant to bullying cases (including discrimination, harassment and health and safety laws) and breach of trust or confidence may be claimed where employers fail to act on complaints about bullying or where they fail to prevent bullying, even if they did not know about it.

Bullying can be viewed in organisational or systemic terms as well as in an individual context. Bullying may be an integral part of an organisation's culture, arising from excessive hierarchical pressure to meet targets, for example, or it may simply be a problem involving two individuals, not necessarily in a hierarchical relationship, but potentially also between two peers.

This checklist provides guidance on dealing with bullying at work from a managerial perspective, at team, department or organisational level.

Definition

There is no legal definition of bullying, but the Chartered Management Institute's 2005 guidance for managers on bullying in the workplace defines it as: "Offensive, intimidating, malicious or insulting behaviour, or abuse or misuse of power, which violates the dignity of, or creates a hostile environment which undermines, humiliates, denigrates or injures, the recipient."

Action checklist

1. Create a preventative context

Make it clear by your actions and example that there is no place for bullying in your team, and establish the requirement for people to respect one another's rights and dignity. Look out for factors which can contribute to bullying attitudes, such as:

- discrimination or prejudice
- unrealistic targets or deadlines
- poor management skills
- inappropriate appraisal or performance management systems.

Consider whether existing management styles or organisational culture create an environment within which bullying tendencies may flourish. If so, seek to change this situation to reduce the risk of bullying behaviour. Establishing an ethos of mutual respect will reduce the likelihood of bullying.

2. Establish an understanding of workplace bullying

Opinions may differ about what constitutes bullying behaviour. If someone complains about bullying, the case must be investigated in a sympathetic manner and, where possible, resolved. It may be worthwhile to discuss understandings of bullying within your team. Some examples of specific behaviours which may cause or contribute to complaints of bullying are given below; many others could be added:

- aggressive behaviour involving shouting, swearing or abuse
- lack of interpersonal or communication skills, on either side
- giving people either too much or too little work
- threats relating to job security
- sarcasm and ridicule
- spreading unfounded, malicious rumours
- over-stringent supervision
- physically intimidating or harassing behaviour.

3. Clarify your policy for dealing with complaints about bullying

If your organisation has a bullying policy, familiarise yourself with it. If it doesn't, develop a policy in association with your HR manager. The ACAS Code of Practice on Discipline and Grievance sets out principles for handling disciplinary and grievance issues in the workplace.

It is often preferable (unless the situation has deteriorated too far to allow this) to follow an unofficial, off-record procedure, before resorting to an official one, and to attempt to resolve the problem with the parties involved. Invoking an official course of action at an early stage could make matters worse in some cases.

4. Develop a policy

A bullying policy will help to raise awareness of the issue and communicate the message that bullying is not acceptable. It should also help to prevent mishandled responses to complaints. Policies should include:

- examples of unacceptable behaviour
- a statement from senior management making bullying behaviour a disciplinary offence
- guidance on the steps complainants should take, including contact details for a trained contact officer for complainants, who are uneasy about approaching their manager
- other possible contacts, including trade union and health and safety representatives, where relevant
- guidance for managers or others who may need to deal with complaints
- a summary of informal and formal procedures, including investigation stages and timescales
- contact details for counselling and support for all parties, if available.

5. Handling complaints

Managers need to be clear about how to proceed if an employee complains about being bullied at work. An informal approach at the start can help to clear problems related to poor communication or lack of personal awareness. Important questions that need to be asked straight away include:

What happened? Who was involved? Where did the incident take place? When did it take place? How did the complainant/s act at the time? Were there any witnesses? Was this the first such incident, or part of a series of similar things? Have they discussed the bullying with anyone else? Have they taken any action to stop further harassment?

It is important to encourage an apology from the person(s) accused of bullying for any comments or behaviours (albeit, perhaps unintentional or resulting from situational stress) that have been perceived as bullying. If the complaint is not resolved through unofficial procedures, mediation, whether with an internal, trained officer or through an external, independent service, can be a useful second resort, before calling upon the organisation's official grievance procedures.

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If a case clearly and unambiguously involves serious bullying, however, or may relate to specific protective law (such as sexual, racial or other harassment legislation) then it will be necessary to take legal advice, and use the official procedures.

6. Dealing with the bully

The accused person(s) may be a manager, colleague(s) or even subordinate(s). The context will differ for all bullying cases and is usually a vital factor in deciding how to deal with them. Where perceived bullying has not become extreme, the situation allows for unofficial steps. If the complainant feels able to face and talk with the bully it may be possible to resolve the issue yourself, or through a mediator, to the satisfaction of both parties.

Whatever course is taken, the complainant's feelings need to be a primary consideration, and the employer's concern to protect the well-being of the complainant needs to be indisputable, unless and until the case is investigated and/or resolved.

At the same time, the accused person(s) should also be treated with respect, and no assumptions or judgements should be made (however well you may think you know either party). Remember that the complaint could be one of the few resulting from deliberate malice, or on the other hand, could just relate to mistaken perceptions or poor communications on either side. You do not know until you investigate, so establishing any facts you can is the most important thing you have to do.

The accused person(s) should, ideally, be made aware of the complaint, asked about any specific matters raised and invited to give their perspective on the complaint. He or she should be moved away from the complainant, or suspended, if the complainant feels unable to work with him/her again.

If the case is found to be related to problematic but unconscious attitudes or behaviour on the part of the accused person, and he or she is willing to try to change, it may be possible to ask them to take relevant corrective training, and to monitor their work and behaviour more closely than usual for a period, rather than to suspend or dismiss them.

If consistent, deliberate and malicious bullying is found to have occurred, then this misconduct will become a disciplinary issue, to be dealt with through the official procedures. For this reason, bullying and harassing behaviour should be referred to in the disciplinary policy as one of the possible reasons for dismissal.

The accused person(s) may dispute the findings, and if dismissed may take the case to tribunal. So, by this point, you should be sure enough of the grounds to be confident in your decision.

Identifying and punishing bullies may not be sufficient. Bullying behaviour may stem from a deep need or problem. This does not excuse the behaviour, but understanding the reasons behind it can assist in trying to find alternative positive strategies that the bully can use to meet their needs without resorting to dysfunctional strategies at the expense of others.

7. Ensure the policy is implemented

Unfortunately, but all too understandably, some managers, HR officials and even trade union representatives may have an immediate 'avoidance' response when confronted with a bullying complaint, especially if they have no training on how to respond to the situation. They could, for example:

- undermine the importance of the issue
- deny the probability of the grounds for complaint
- suggest that the complainant is being too sensitive.

While understandable, this is not helpful to any of the people concerned, or to the organisation. The complainant may accept the situation, and drop the issue, but he or she may equally decide to take it further at a later stage, if the situation worsens. Even if the complainant drops the matter completely, or he/she decides to resign from their position, the risk of problem behaviour from the accused could remain a liability which the organisation cannot afford to carry. It is important, therefore, to implement the policy carefully, and ensure that managers are aware of their responsibility to prevent bullying, and that staff can have confidence that the policy will work, should they need to resort to it.

8. Train managers and main contact personnel

It is important to provide training to help managers and other relevant personnel to deal with the possibility of workplace bullying in an appropriate way. This will raise awareness of the issue, ensure that people understand what to do when complaints arise, and reduce the risk of mishandled complaints and legal cases.

Managers should avoid

- assuming that there is no bullying in your workplace – this is unlikely to be permanently true of any organisation
- responding to complainants without demonstrating empathy and concern
- dismissing a bullying complaint, however petty or hard to believe you may judge it to be.

National Occupational Standards for Management and Leadership

This checklist has relevance for the following standards:
B: Providing direction, unit 5

Additional resources

Books

Disciplinary and grievance procedures: ACAS code of practice
Norwich: TSO, 2009

Bullying at work 2008: the experience of managers, Patrick Woodman and Vidal Kumar
London: Chartered Management Institute, 2008

Bullying and harassment at work,
London: Incomes Data Services, 2007

Bullying and sexual harassment: a practical handbook, Tina Stephens and Jane Hallas
Oxford: Chandos Publishing, 2006

Bullying in the workplace: guidance for managers
London: Chartered Management Institute, 2005
Available at www.managers.org.uk/bestpractice

This is a selection of books available for loan to members from CMI's library. More information at www.managers.org.uk/library

Journal article

Is your organisation a great place for bullies to work? Stuart D Sidle
Academy of Management Perspectives, November vol 23 no 4, 2009, pp89-91

Copies of this article are available to members from the CMI's library. More information at www.managers.org.uk/library.

Internet resources

Advisory Conciliation and Arbitration Service www.acas.org.uk

Look under Bullying in the Advice A to Z under Advice and Guidance for information for both employers and employees. The ACAS Code of Practice on Discipline and Guidance is available under Discipline in the Advice A to Z.

Dignity at Work Partnership www.dignityatwork.org

The world's largest anti-bullying project, the site contains advice, support and useful information on combating bullying.

Organisation

National Bullying Helpline

PO Box 1276 Swindon SN25 4UX

Helpline Tel: 0845 2255 787 Web: www.nationalbullyinghelpline.co.uk

Information and advice are provided on the website. The helpline is run by volunteers.

This is one of many checklists available to all CMI members. For more information please contact

t: 01536 204222

e: enquiries@managers.org.uk

w: www.managers.org.uk

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Revised August 2012