

Anti-bullying & Harassment in the workplace –Procedure and Guidance

Introduction

No one should have to put up with being bullied either at work or in school/college. The following may help clarify what constitutes bullying and how to identify if bullying is taking place and what can be done to stop it.

1. What is bullying at work?

There are many definitions of bullying and harassment. Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying is when someone tries to intimidate another person, often in front of colleagues or other students. It's usually, though not always, done to someone in a less senior position, or someone who is less able or popular.

It's similar to harassment, which is where someone's behaviour is offensive - for example, making sexual comments, or abusing someone's race, religion, disability, physical attributes or sexual orientation.

It's not possible to make a legal claim directly about bullying, but complaints can be made under laws covering discrimination and harassment. Harassment is unlawful under the Equality Act 2010. If someone is forced to resign due to bullying they can make a constructive dismissal claim and gain compensation through an Industrial Tribunal.

2. Examples of bullying behaviour and harassment

Bullying includes all types of abuse, physical or verbal violence, emotional abuse through humiliation and undermining someone's confidence. A person is probably being bullied if, for example, they see themselves as being:

- constantly picked on
- humiliated in front of colleagues or other students
- made the focus of sexual or other unkind jokes
- comments on body shape or appearance
- regularly unfairly treated
- physically or verbally abused
- blamed for problems caused by others
- always given too much to do, so that they regularly fail in their work
- regularly threatened with the sack or suspension/exclusion
- unfairly passed over for promotion or denied training/learning opportunities or opportunities to engage in activities

Harassment includes 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 [ACCAS 2010]. A person may be harassed if they see themselves as the target of:

- malicious rumours
- unfair treatment
- being picked by someone
- being regularly undermining as a competent worker
- being denied training or promotion opportunities

Bullying and harassment can be face-to-face, in writing, over the phone, by text-messaging, fax or email.

3. Before taking action

If you think someone is being bullied, it is best to talk it over with a colleague or line manager, because what may seem like bullying might not be. This is particularly the case if this happens to you. For example, you might have more work to do because of a change in the way your organisation is run. If you find it difficult to cope, talk to your manager or supervisor, who might be as concerned as you are. Sometimes all it takes is a change in the way you work to give you time to adjust. If no notice is taken of your concerns, and indeed more work is given in addition, then take advice.

4. What to do if you're bullied at work or are aware of bullying

Employers and senior staff in schools and colleges have a 'duty of care' to their students and employees, and this includes dealing with bullying and harassment at work or in a place of learning. There are measures you can take if you are aware of bullying and harassment or are being bullied.

1. Get advice

Speak to someone about how you might deal with the problem informally. This might be:

- an employee representative or someone in the human resources department
- your line-manager, supervisor or head of department
- look at the organisation policy and report strategies
- if the bullying is affecting your health or that of a student then advice from a doctor should be sought.

2. Talk to the bully

The bullying may not be deliberate. If you can, talk to the person in question, who may not realise how their behaviour has been affecting you or others. Work out what to say beforehand. Describe what has been happening and why this is a problem. Stay calm and be polite. If you don't want to talk to them yourself, ask someone else to do so for you.

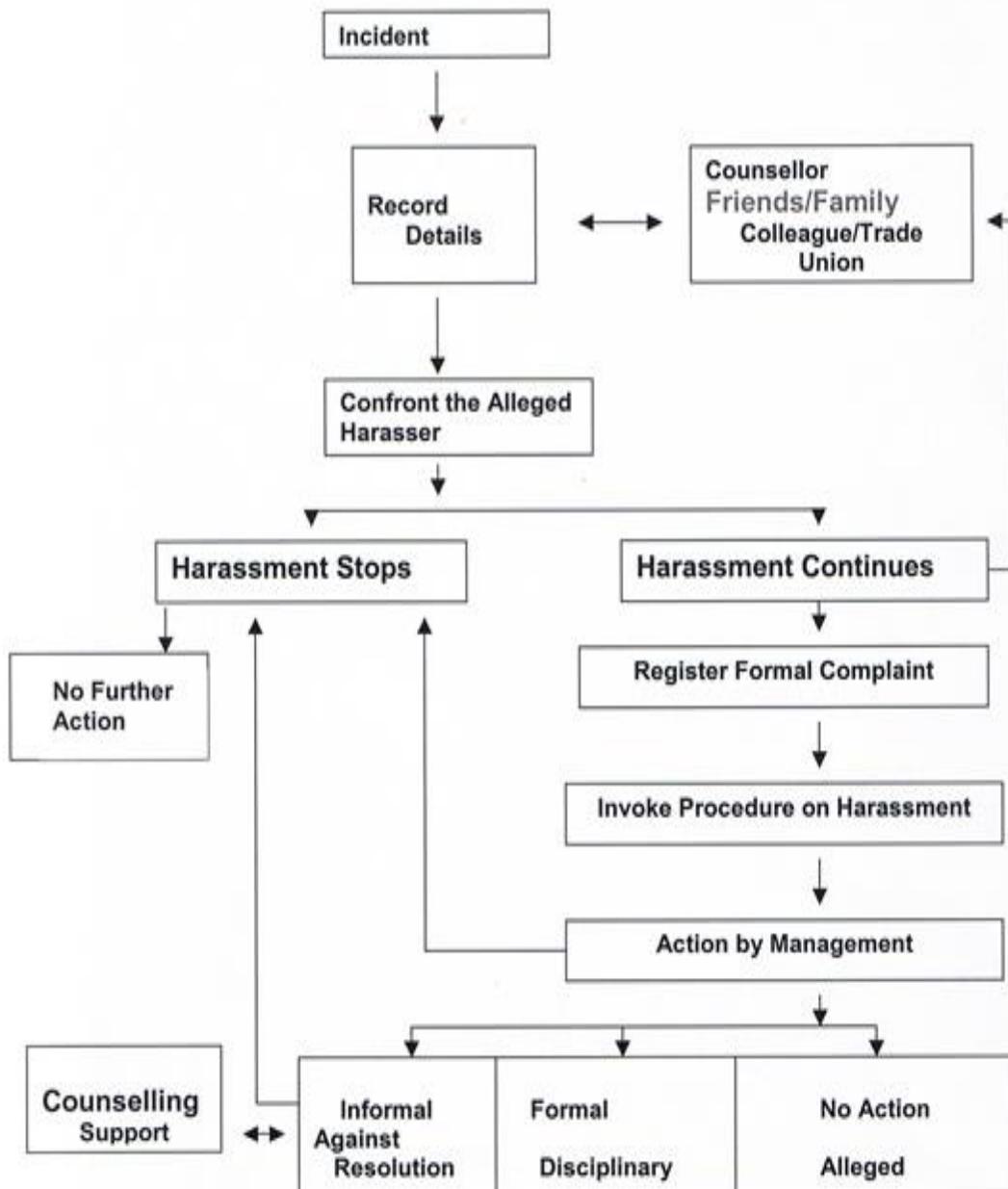
3. Keep a written record or diary

Write down details of every incident and keep copies of any relevant documents.

4. Making a formal complaint

This is the next step if you can't solve the problem informally. To do this you must follow the grievance procedure.

The diagram below provides a summary of steps that can be taken to deal with reported incidents of bullying and harassment. You are free to consult external sources of advice as well as those available to you through the School.



LCCA Bullying and Harassment Policy and Procedure

Harassment/Bullying Incident Report Form			
Date(s) and approximate time(s):		Room/Location(s):	
Person(s) Completing Form:			
Job title or Course title:			
Person(s) alleged be initiating the bullying/harassment:			
Job Title or Course title (if known):			
Person(s) Affected where not the person(s) completing the form:			
Job Title or Course title (if known)			
Type of Harassment Alleged (please indicate):			
Racial:	Sexual:	Religious:	Other:
Please indicate all behaviours below that also apply to the incident(s) being reported:			
Name Calling	Stalking	Inappropriate Gesturing	Staring/Leering
Writing/Graffiti	Threatening	Refusing to acknowledge or persistently ignoring	Taunting/Ridiculing
Inappropriate Touching	Demeaning Comments	Stealing	Damaging Property
Pushing or physically shoving	Threatening with a weapon	Intimidating	Demanding money
Other (please give details:			
Describe the Incident:			
Witnesses present:			
Physical Evidence:			
Signature:			
PLEASE RETURN THIS FORM TO HUMAN RESOURCES OR STUDENT ADMINISTRATION			
NOTICE: False accusations of bullying or harassment will be subject to appropriate disciplinary action			