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Bullying at Work



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INTRODUCTION	2
DEFINITION	2
CAUSES OF BULLYING	3
EFFECTS OF BULLYING	5
BULLYING AND THE LAW.....	7
NHS OCCUPATIONAL HEALTH & SAFETY STANDARDS, Bullying and Harassment...10	
STRESS MANAGEMENT STANDARDS.....	13
BULLYING BEHAVIOUR - EXAMPLES OF LEGISLATION/STANDARDS	17
NEGOTIATING FOR PREVENTION OF BULLYING.....	18
WORKPLACE POLICY ON BULLYING CHECKLIST.....	20
REFERENCES	25
CSP BULLYING SURVEYS - How to organise and conduct surveys.....	26
APPENDIX 1 - MODEL QUESTIONNAIRES.....	28
APPENDIX 2 ADVICE SHEET TO MEMBERS EXPERIENCING BULLYING.....	41
APPENDIX 3 ADVICE SHEET - HOW TO RISK ASSESS BULLYING	42
APPENDIX 4 FAIR/FIRM MANAGEMENT OR BULLYING AND HARASSMENT?.....	43
APPENDIX 5 ADVICE SHEET - ACTION PLANNING FOR BULLYING AT WORK.....	45



Bullying at Work

INTRODUCTION

Bullying makes work intolerable for many and is unacceptable behaviour in whatever form it takes. It is also extremely costly - the costs to the worker include misery, low self-esteem, mental and physical ill-health, and loss of job and career prospects; for the employer, the costs are direct, through sickness absence, indirect through recruitment and retention problems, and hidden, through the effect on morale and productivity.

The CSP will support members who are being bullied, resource and train safety reps and stewards to tackle the issue locally, and to raise employer awareness of bullying as an organisational problem.

DEFINITION

Bullying at work is often misunderstood and definitions drawn too narrowly. It is therefore important to have an agreed working definition of bullying when raising the issue at work.

For the purposes of this document the definition is a widely used one:-

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

*(from the ACAS *Bullying and Harassment at Work: A guide for managers and employers*)*

The emphasis must be on how the behaviour is perceived by the recipient, not on the perpetrator's stated intention.



CAUSES OF BULLYING

1 Forms of bullying

Workplace bullying presents itself in a wide variety of forms; the following list gives some common examples:-

- Managers shouting at staff, sometimes in private but often in front of others, such as subordinates or other managers
- Managers constantly criticising those by whom they feel threatened, who may be particularly competent or well-liked etc
- Removing responsibility and setting workers trivial or menial tasks instead
- Setting impossible deadlines and criticising when they aren't met
- Directing personal insults at individuals
- Ignoring or excluding individuals
- Being openly aggressive or threatening
- Ridiculing or criticising an individual or their work in front of others
- Shifting blame onto one individual when something goes wrong
- Refusing reasonable requests for time-off, training etc.

2 The Nature of bullies

Several studies and books have identified that, in the workplace, bullying is most often perpetrated by someone in authority against one (or a few) subordinates. There are, however, exceptions to this generalisation; for example, a manager may bully a group of staff or a whole department. Conversely, they may be a "serial bully" i.e. they exhibit a pattern of fostering good relationships with others, but they will target a particular individual to bully at any time.



Workers may also be bullied by a peer, and a group of workers may bully one individual.

Both men and women can be bullies and bullied and the proportions of these vary across industries based on many other factors such as the comparatively large number of male senior managers in otherwise female dominated healthcare groups.

There are a number of texts which propose a psychological profile of the typical bully. In addressing workplace bullying it is unhelpful to be constrained by a stereotypical view of a bully, as bullying may take many subtle and insidious forms which would not conform to such a stereotype.

There are, however, a range of characteristics and experiences which may be relevant:-

- Many bullies have themselves experienced bullying, cruelty, persistent undermining and criticism.
- Bullies are often insecure in their positions, and easily feel threatened.
- Bullies are often unable to delegate or release any degree of control at work.
- Bullies often perceive constructive suggestions or ideas as threats and criticisms.
- Bullies are often envious of the people they bully, perceiving them as more popular, able, etc than themselves.

3 Organisational issues

It is unhelpful, again, to promote a stereotype of a “bullying organisation”, as bullying can occur in any workplace. There are, however, cultural and other facts which make some organisations more likely to have a problem with bullying than others. These are:-

- a highly competitive work environment.
- job insecurity.



- authoritarian management style.
- organisational change
- impossibly tight deadlines
- insufficient training
- lack of worker involvement in decision-making
- lack of clear workplace procedures e.g. grievance, conduct etc.
- excessive workloads
- De-skilling/multi-skilling
- aggressive behaviour as a deliberate management tactic.

EFFECTS OF BULLYING

1 Individual

Workers who are subjected to bullying rapidly lose self-esteem and confidence; they dread going to work and dread confronting the problem head-on. For many the only perceived way out is resigning and leaving the workplace. This often has detrimental effects for the victim with regard to their own future career prospects. Often they feel it was their own fault they couldn't cope and this allows the perpetrator to carry on with their bullying behaviour.

Other recipients of bullying find personal relationships (both within and outside work) adversely affected, and some have been subjected to disciplinary/capability procedure action as they become unable to perform their jobs adequately.

Those being bullied may exhibit any of the signs of stress-related illness and some of the main ones are summarised below:-

- anxiety and depression
- irritability
- sleep problems



- headaches
- irritable bowel syndrome
- feelings of dread
- increased alcohol, tobacco etc intake
- loss of appetite
- tearfulness
- becoming withdrawn

2 Organisational

An organisation with a bullying problem or culture will exhibit many of the signs of an organisation that has a high level of work-related stress for other reasons.

Where bullying exists and is not effectively tackled the following will occur:-

- Increasing sickness absence
- Increasing turnover of staff
- Increasing absenteeism
- Poor morale and motivation
- Poor & falling productivity
- Poor performance
- Increasing retraining costs
- Possible recruitment problems, particularly if the issue becomes public
- Poor image and credibility, through general publicity, cases being taken to employment tribunals, complaints to the Health & Safety Executive etc.



BULLYING AND THE LAW

There is no specific legislation which addresses bullying at work. Existing remedies are often less than satisfactory for victims of bullying, but may be utilised for the more extreme cases of persistent bullying. These are summarised below:-

1 Health & Safety Law

a) Health & Safety at Work Act 1974 (HASAWA)

Section 2 of this Act places a general duty of care on all employers to safeguard the mental and physical health, safety and welfare of employees. If bullying poses a risk to an employee's health or safety, and the employer fails to address the problem, it may amount to a fundamental breach of the implied term of trust and confidence and could result in a employment tribunal claim for constructive dismissal. And if the employee suffers a psychiatric injury caused by bullying they may have grounds to lodge a civil action/ personal injury claim against their employer.

b) Management of Health & Safety at Work Regulations 1999 (MHSW)

These Regulations impose a duty on employers to assess the risks to their employees' health & safety so that they can implement the appropriate preventative and protective measures (Regulation 3).

The MHSW sets out specific risk assessment requirements:

1. All employers and self employed persons must carry out an assessment of health and safety risks to employees and to others who would be affected.
2. If there are 5 or more employees the significant findings must be recorded.
3. Data from risk assessments to be shared with others (employees & other relevant persons, such as safety reps) and reviewed when appropriate.
4. Conduct when notified an individual risk assessment for a pregnant worker.
5. Risk assessments to be undertaken by a 'competent person'.

Employees' health should be taken to encompass both mental and physical health and risk assessment obligations to include risks from stress, violence and bullying as well as more tangible workplace hazards. Appendix 3 in this information paper is an advice sheet on how the Health and Safety Executives' 5 steps to risk assessment



could be utilised to respond to bullying in the workplace. Safety reps are also entitled to be consulted about an employer's risk assessment processes as well as the outcomes.

c) **Safety Representatives and Safety Committees Regulations 1977 (SRSC) and/or Health and Safety (Consultation with Employees) Regulations 1996 (HSCER)**

SRSC, along with Section 2 of HASAWA, require employers to consult with trade union safety reps over significant changes that can affect workers' health and safety. In some workplaces, e.g. the private sector where there is no union recognition, the HSCER apply and this Regulation requires employers to also consult with employees or their representatives.

Under the SRSC, safety reps are entitled to undertake inspections to identify hazards in the workplace and request the employer to then risk- assess if there is a problem.

SRSC recognises that conducting a survey of members is a legitimate form of inspection activity. The survey findings can provide the rep with useful evidence to give to an employer if there is a bullying problem.

d) **HSE Stress Management Standards**

The Health and Safety Executive (HSE) is responsible for advice to employers and others as well as enforcing health and safety law.

With respect to stress management the HSE has developed standards which can be used as a risk assessment tool. They set out a framework of the six most common causes of stress and for each list certain characteristics or behaviours of an organisation where it is either prevented or effectively managed.

For dealing with bullying in the workplace the most relevant standard is probably 'Relationships'. However, the other standards may be relevant depending on the circumstances surrounding the bullying incident. For example, a dispute between workers may have resulted in conflict over roles or job descriptions. Poorly managed change may trigger bad behaviours if people feel their jobs are under threat.



These standards are not legally enforceable on employers and as long as they can show that they have conducted an alternative risk assessment that is reasonably effective, they will deem to have met their legal responsibilities.

The HSE standards have been reproduced on pages 13 – 14

- e) **The NHS Staff Council Occupational Health and Safety Standards**
These standards have been developed by the NHS Partnership for Occupational Safety and Health in Healthcare with the support of the HSE. The aim is to assist trusts by pulling together legal requirements and best practice and give practical pointers and signposts on meeting the requirements. The NHS Constitution refers to these standards as a means of helping trusts to comply with their duty to protect staff.

Included in these standards is a section on bullying – which has been updated and reproduced on pages 9 to 11 of this information paper. This can be a useful tool for employers undertaking a risk assessment, or for safety reps/stewards who wish to ensure their employer will cover the practices or factors relevant to prevent or resolve these issues.

- f) **NHS Constitution**
Published in January 2009, the NHS Constitution sets out the rights and pledges of patients and staff that all NHS organisations are expected to take account of. The duty to have regard to the NHS Constitution is established in the Health Act 2009.

With respect to staff, it states they have the right to *“Have healthy and safe working conditions and an environment free from harassment, bullying or violence (Section 3a of the NHS Constitution).* The expectation is that employers will make suitable and sufficient assessments of the risks to the health and safety of employees and to have identified preventative and protective measures to be put in place. There is also a pledge that *“the NHS commits to provide support and opportunities for staff to maintain their health, well-being and safety.”*

- g) **Personal Injury Claims**
Bullying which results in physical, mental, or emotional injury may entitle an employee to a personal injury claim for damages. A successful claim will depend on the worker having a diagnosable medical condition, the employer knowing the bullying would be likely to cause harm and the employer failing to take steps to prevent that harm.



Section on bullying copied and updated from the NHS Staff Council Occupational Health and Safety Standards, 2011-
Source: www.nhsemployers.org

E. Violence and Aggression

Bullying and harassment	
Standard	Arrangements are in place to effectively manage the risks to staff from being bullied or harassed by patients, other staff or their managers.
Rationale	Research indicates that bullying and harassment can have the same negative impact on observers as it does on the people being bullied, to the extent that employees may choose to leave the employer. The costs of bullying and harassment include increased sickness absence, low productivity, high staff turnover, potential litigation costs and damage to the reputation of the organisation.
	Management of Health and Safety at Work Regulations 1992 Protection from Harassment Act 1997 The Equality Act 2010



Criteria	Evidence	References	Completed
Policies are in place for managing incidents of bullying and harassment which clearly state that this behaviour is unacceptable and may lead to disciplinary action and which set out the roles and expectations of managers and HR	Policy Board papers	<i>Bullying and harassment at work, ACAS, June 2006</i> http://www.acas.org.uk/index.aspx?articleid=794 TUC http://www.tuc.org.uk/ Healthy Workplaces Handbook, 2007, NHS Employers Health and Safety Essential Guide – Health, Work and Wellbeing –	
Bullying and harassment are clearly defined and the definition has been communicated to, and understood by, all staff.	Policy Definition	<i>Bullying and harassment at work, ACAS, June 2006</i> http://www.acas.org.uk/index.aspx?articleid=794	
Formal and informal confidential complaints procedures are in place and staff are aware of and understand them.	Policy Evidence of meetings Communications plan	<i>Bullying and harassment at work, ACAS, June 2006</i> http://www.acas.org.uk/index.aspx?articleid=794	
Managers have received the appropriate Training in managing bullying and harassment complaints.	Training plans Evidence of who has received training	<i>Bullying and harassment at work, ACAS, June 2006</i> http://www.acas.org.uk/index.aspx?articleid=794	
Support and guidance is made available to those complaining of bullying or harassment including access to mediation, conciliation and counselling services	Evidence of referral to counselling or other support	<i>Bullying and harassment at work, ACAS, June 2006</i> http://www.acas.org.uk/index.aspx?articleid=794	



Criteria	Evidence	References	Completed
Patients and their family and friends are made fully aware of the standards of conduct expected of them and of the sanctions that may follow unacceptable behaviour.	Trust policy Posters/leaflets for patients	<i>Non-physical Assault Explanatory Notes: A framework for reporting and dealing with non-physical assaults against NHS staff and professionals</i> , NHS Security Management Service November 2004	
Data on complaints is collated centrally to allow for the identification of any patterns of bullying or 'hot spots'	Data Details of interventions	<i>Bullying and harassment at work</i> , ACAS, June 2006 http://www.acas.org.uk/index.aspx?articleid=794	
The Board receives regular updates on bullying and harassment and any trends that have been noted.	Board Papers	<i>Bullying and harassment at work</i> , ACAS, June 2006 http://www.acas.org.uk/index.aspx?articleid=794	



HSE STRESS MANAGEMENT STANDARDS

<p>Demands – include issue like workload, work patterns and the work environment</p> <p><i>The standard is that:</i></p> <ul style="list-style-type: none">• Employees indicate that they are able to cope with demands of their jobs; and• Systems are in place locally to respond to any individual concerns <p><i>What should be happening/states to be achieved:</i></p> <ul style="list-style-type: none">• The organisation provides employees with adequate and achievable demands in relation to the agreed hours of work;• People’s skills and abilities are matched to the job demands;• Jobs are designed to be within the capabilities of employees; and• Employees’ concerns about their work environment are addressed.	<p>Control – How much say the person has in the way they do their work</p> <p><i>The standard is that:</i></p> <ul style="list-style-type: none">• Employees indicate that they are able to have a say about the way they do their work; and• Systems are in place locally to respond to any individual concerns. <p><i>What should be happening/states to be achieved:</i></p> <ul style="list-style-type: none">• Where possible, employees to have control over their pace of work;• Employees are encouraged to use their skills and initiative to do their work;• Where possible, employees are encouraged to develop new skills to help undertake new and challenging pieces of work;• The organisation encourages employees to develop their skills;• Employees have a say over when breaks can be taken; and• Employees are consulted over their work patterns.
<p>Support – Includes the encouragement, sponsorship and resources provided by the organisation, line management and colleagues</p> <p><i>The standard is that:</i></p> <ul style="list-style-type: none">• Employees indicate that they receive adequate information and support from their colleagues and superiors; and• Systems are in place locally to respond to any individual concerns. <p><i>What should be happening/states to be achieved:</i></p> <ul style="list-style-type: none">• The organisation has policies and procedures to adequately support employees;• Systems are in place to enable and encourage managers to support their staff;• Systems are in place to enable and encourage employees to support their colleagues;• Employees know what support is available and how and when to access it;• Employees know how to access the required resources to do their job; and• Employees receive regular and constructive feedback.	<p>Relationships – Includes promoting positive working to avoid conflict and dealing with unacceptable behaviour</p> <p><i>The standard is that:</i></p> <ul style="list-style-type: none">• Employees indicate that they are not subjected to unacceptable behaviours, e.g. bullying at work; and• Systems are in place locally to respond to any individual concerns. <p><i>What should be happening/states to be achieved</i></p> <ul style="list-style-type: none">• The organisation promotes positive behaviours at work to avoid conflict and ensure fairness;• Employees share information relevant to their work;• The organisation has agreed policies and procedures to prevent or resolve unacceptable behaviour;• Systems are in place to enable and encourage managers to deal with unacceptable behaviour; and• Systems are in place to enable and encourage employees to report unacceptable behaviour.



Role – Whether people understand their role within the organisation and whether the organisation ensures that the person does not have conflicting roles

The standard is that:

- Employees indicate that they understand their role and responsibilities; and
- Systems are in place locally to respond to any individual concerns.

What should be happening/states to be achieved:

- The organisation ensures that, as far as possible, the different requirements it places upon employees are compatible;
- The organisation provides information to enable employees to understand their role and responsibilities;
- The organisation ensure that, as far as possible, the requirements it places upon employees are clear, and
- Systems are in place to enable employees to raise concerns about any uncertainties or conflicts they have in their role and responsibilities.

Change – How organisational change (large or small) is managed and communicated in the organisation

The standard is that:

- Employees indicate that the organisation engages them frequently when undergoing an organisational change; and
- Systems are in place locally to respond to any individual concerns.

What should be happening/states to be achieved:

- The organisation provides employees with timely information to enable them to understand the reasons for proposed changes;
- The organisation ensures adequate employee consultation on changes and provides opportunities for employees to influence proposals;
- Employees are aware of the probable impact of any changes to their jobs. If necessary, employees are given training to support any changes in their jobs;
- Employees are aware of timetables for changes;
- Employees have access to relevant support during changes.

2 Discrimination Law

Bullying may also be a factor identified in discrimination cases. Last year the introduction of the Equality Act simplified the current discrimination laws covering race, sex, sexual orientation, disability, religion or belief and age and encompassed them all under one piece of legislation.

As well as definitions for direct and indirect discrimination there are also grounds to pursue a claim based on harassment and/or victimisation which if proven in relation to a particular discrimination characteristic (i.e. it occurred because of the person's gender, age, race, sexual orientation, religious belief) would deem to be unlawful. The general definition for harassment and victimisation are:

Harassment: when the behaviour violates an individual's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.

Victimisation: –When the treatment of a worker is less favourable because they have brought or supported a complaint of discrimination, for example the employer fails to promote someone because they previously complained of race discrimination or if they supported someone else's complaint.



Employers may also be held vicariously liable for their staff's discriminatory behaviour.

3 Employment Law

a) Employment Rights Act 1996 (ERA)

If bullying at work has forced an employee to resign, they can complain to an employment tribunal of constructive dismissal.

b) Protection from Harassment Act 1997

This Act states that a person must not pursue a course of conduct which amounts to the harassment of another that causes that person alarm or distress, and which they know or ought to know amounts to such. The harassment is required to occur on at least two separate occasions to come under the remit of this Act.

As a result of a House of Lords' ruling employers can now be held vicariously accountable under this Act for the actions of their employees while acting in the course of their employment.

Claims taken under this Act can be pursued for up to six years after the incident in comparison to the three months time limit to lodge an employment tribunal claim for unfair/constructive dismissal. The case that created this precedent is *Majrowski v Guy's and St Thomas's NHS Trust*. Bill Majrowski had endured 18 months of bullying from his line manager before he resigned and pursued his claim under the PHA.

However while Mr Majrowski was successful there hasn't been a large increase in cases taken under PHA against employers, mainly because the complainant has to prove that:

1. The harassment is serious – capable to amounting to a criminal act
2. It has occurred on more than one occasion
3. It is not simply about a disagreement between two work colleagues
4. It represents an intense connection between the conduct and the job of work



5. It is not to be considered to be reasonable and proper criticism of poor performance.

4 Case Law

Green v Deutsche Bank Group Services (UK) Limited 2006

The most well known recent stress-related (largely caused by bullying) personal injury claim, perhaps due to the level of compensation awarded, is the case of *Green v Deutsche Bank Group Services (UK) Limited*

Ms Green was employed by DB Group Services (UK) Limited (“DB”) as a Company Secretary Assistant between 1997 and 2003. Ms Green worked in close proximity to four female secretaries who subjected her to a sustained campaign of bullying and torment. The bullying behaviour was generally of a childish nature, and consisted of ignoring her, excluding her from departmental activities and conversations, making raspberry noises or bursting into laughter when she would leave the room; hiding her post, removing her from circulation lists and taking documents from her desk without her knowledge or consent. Ms Green complained about the behaviour to management, but was told that she should just try to not let them bother her. No action was taken to discipline the women concerned or to move Ms Green away from them.

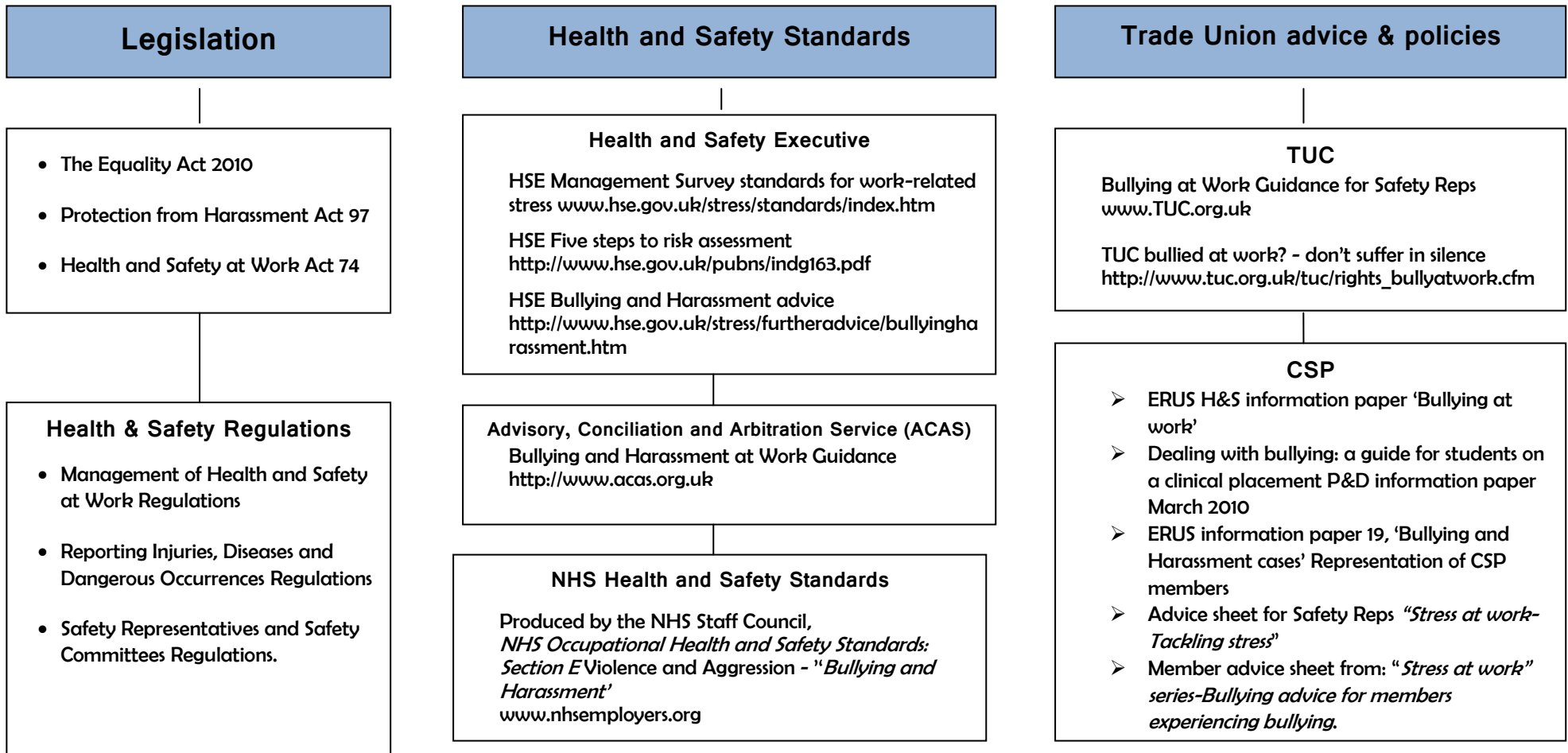
In 2000, Ms Green had a nervous breakdown and was admitted to hospital. She returned to work five months later but suffered a major relapse after experiencing further bullying/harassment this time by a male colleague.

She never returned to work and DB subsequently terminated her employment in 2003. Ms Green sued DB for psychiatric injury and the High Court ruled in her favour by concluding that DB had breached its duty of care and that Ms Green’s injury had been reasonably foreseeable. DB knew or ought reasonably to have known the bullying was taking place and did not take reasonable steps to stop the bullying. DB was also aware that Ms Green was vulnerable since she had disclosed on a pre-employment health questionnaire that she had suffered from depressive illness relatively recently for which she had received drug treatment.

Ms Green was awarded damages of £800,000.



BULLYING BEHAVIOUR – EXAMPLES OF LEGISLATION AND OTHER STANDARDS





NEGOTIATING FOR PREVENTION OF BULLYING

1 Raising the issue & developing policy

Bullying is a problem which can ideally be tackled jointly by CSP stewards and safety reps, as it raises both health and safety and general employment relations issues. Whether bullying is raised by safety reps, by stewards, or by both, there are a number of common themes:-

a) Raise awareness

Talk to CSP members about bullying; this can be done through in-service training sessions, slots in staff meetings, or by using letters and noticeboards where it is harder to meet with members. Members need to understand the wide range of bullying behaviour as well as the effect it has on recipients.

Liaise with reps from other unions; many other organisations will also be dealing with bullying problems, or trying to raise awareness of bullying locally. Safety Committee and Negotiating Committee Staff Side meetings are ideal forums to start discussing bullying, share experiences, and formulate a common agenda to take to management.

b) Consider a survey

It can be extremely useful to carry out a survey to establish the extent of the problem with bullying, once you have begun to talk to members on the subject.

You will need to use your knowledge of the local situation to decide whether to conduct a CSP, joint union, or union-management survey, as all of these have advantages and disadvantages. However, you will want at least an idea of the problem before approaching management.

You will also need to consider whether the survey should be a sample or cover everyone, should be anonymous etc. *A sample survey is included at Appendix 1 for your use.*



c) Talk to your employer

Having raised awareness amongst CSP members, built a consensus on the staff side, and established the extent of the problem, discussions with management should be embarked upon, with the following aims:-

- Recognition by the employer that bullying goes on, is an organisational problem, is unacceptable, and preventable
- Commitment to effectively dealing with current bullying problems, and preventing future ones
- Negotiation of a joint policy on workplace bullying (*see section d*)
- Practical help for people being bullied e.g. time-off, flexible return-to-work arrangements, access to independent counsellors etc
- Recognition that tackling bullying is cost-effective, based on reducing sickness absence, turnover and re-training costs and improving morale, productivity, recruitment etc

d) Develop a policy

The ideal policy is a jointly negotiated one which addresses bullying at work specifically. Bullying is an important issue in its own right; problems must be approached sensitively and promptly.

The local grievance procedure will not usually be adequate to address bullying properly. If there is already a good joint policy covering harassment this could be used as a basis for forming a separate one on bullying. If bullying is to be included in a harassment policy it must be clear that it is recognised as a separate issue and an agreed definition must be included.



WORKPLACE POLICY ON BULLYING CHECKLIST

Your Employer's policies on bullying and harassment should include:

1. Commitment from senior management
2. Acceptance that bullying is an organisational issue
3. A Statement that bullying is unacceptable and will not be tolerated
4. Clear definitions of unacceptable behaviour
5. A Statement that bullying may be treated as a disciplinary offence
6. Steps to assess and prevent bullying
7. List of standards/values of behaviours to create positive work environment
8. Duties of heads of departments and team leaders/supervisors
9. Confidentiality for complainants when they report bullying
10. Procedures to protect complainants from victimisation



- 11. Clear complaints procedure, separate from the normal grievance procedure
- 12. Informal complaints procedure
- 13. Formal complaints procedures
- 14. Procedures for investigating complaints
- 15. Information and training about bullying and the policy
- 16. Access to support and counselling
- 17. Review and monitoring
- 18. Is it jointly agreed by employer and staff side?
- 19. Does it cover everyone?
- 20. Is it implemented?



e) **A policy on bullying should include:-**

- **recognition** by the employer that bullying is an organisational and serious issue.
- **commitment from the employer to prevention of bullying** and to dealing sensitively with people being bullied, where prevention has failed.
- **statement that bullying is unacceptable** behaviour, will not be tolerated and will be dealt with seriously as a disciplinary offence.
- **clear definitions** of the terms accompanied by examples of unacceptable behaviour.
- **guarantee** that complainants will be dealt with confidentially and will not be victimised.
- **assessment of risks** of bullying; it is possible to do risk assessments for bullying and these may include review of organisational culture, management style, management duties and training, confidential surveys and exit interviews.
- **commitment** to implementing necessary action following risk assessments.
- **details of prevention measures** taken by the organisation.
- **informal and formal procedures for making a complaint** about bullying. These procedures should include clear guidelines on investigation, time-table, rights to representation, right to appeal, confidentiality etc.
- **training and information for employees and managers.** All staff should understand what bullying is, why it is unacceptable, the provisions of the joint policy, and what sanctions will be applied to bullies.
- **responsibilities of supervisors/managers** set out.
- **responsibilities of personnel and HR department** set out.
- **support** for staff being bullied. The policy should identify measures available to help staff if prevention fails. These may include access to specialist, independent counsellors, time-off, flexible return-to-work arrangements etc.
- **monitoring** of the policy's implementation and effectiveness.



2 Change the Workplace Culture

The workplace culture often determines whether or not bullying behaviour will go unchallenged. An organisation that places a high premium on people treating each other with courtesy and respect is unlikely to tolerate aggressive or bullying behaviour. Furthermore plenty of research undertaken has shown that positive interactions can have a profound effect on staff health and wellbeing, increasing enjoyment of work and job satisfaction.

Establishing a more supportive workplace requires commitment at organisational, work team and individual level.

To assist such a change in culture the Royal College of Nurses has developed a useful resource to encourage positive working relationships. Their *Working with care: Improving working relationships in healthcare* is a set of assessment tools designed to support healthcare staff to examine their interactions and to increase awareness of negative behaviours, which can sometimes be perceived as bullying and harassment.

RCN are happy for other health workers to use their resource. The CSP National Group of Regional Safety Reps reviewed these materials to assess how appropriate they are for physiotherapists and concluded that they were indeed helpful. However, it is also understood this resource is not appropriate for use as an initial or solitary intervention for a workplace with entrenched bullying behaviours.

RCN also advised that their relationship assessment tool can only be effective if part of an integrated approach that includes organisations examining their policies, procedures, systems and practice to ensure fairness and to discourage bullying behaviours as well as to guarantee fair and rigorous investigation of complaints.

To view this resource visit www.rcn.org.uk

For safety reps this resource is available under 'Sharing Practice' on the iCSP National Safety Rep network.

3 What can reps do to help members being bullied?

- Treat the problem seriously and in confidence
- Advise members to keep written records of incidents



- Find out if others are being or have been bullied, or if they have witnessed incidents - maintain confidence unless the member agrees otherwise
- Advise the member about any workplace policies, help available, sick-leave entitlements etc
- Discuss possible courses of action with the member
- If the member agrees to confront/report the problem, support and represent them at all stages
- If you need further advice don't hesitate to contact a CSP full-time officer

4 What can individual members do?

Although this pack is primarily aimed at CSP lay representatives - both safety reps and stewards- individuals who are being bullied at work should:

- **Consult a local CSP rep as soon as possible;** if you are being bullied it is not your fault and CSP reps take bullying seriously. You can speak to your local rep in absolute confidence and they will know what you should do next.
- **Confront the bully;** when possible, at the time or after an incident. If you do not feel able to do this write them a note, making it clear how you feel and why. Keep copies of any letters.
- **Talk to colleagues;** if you feel able to do this, you will often find they know someone else who is being bullied or they may even have been bullied themselves.
- **Policy on bullying;** find out (usually via your rep) if your employer has a policy on bullying and, if not, other procedures for resolving workplace problems such as grievance.
- **Look after your health;** if the bullying situation is an intolerable one, seek advice from your local rep about time-off or help available through occupational health. **Always take advice before taking time-off.**



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Working with Care: Improving Working Relationships in Health Care
Self-Assessment tools for health care teams
Available from website www.rcn.org.uk

Department of Health *Handbook to the NHS Staff Constitution*, 2010
Available from website www.dh.gov.uk

THE NHS Staff Council *Improving Working Lives in the NHS – a framework
developed by the NHS Staff Council*, July 2009
Available from website www.nhsemployers.org



CSP BULLYING SURVEYS

How to organise and conduct surveys

1. Read the following instructions and if you have any queries on how to undertake this exercise don't hesitate to contact your Senior Negotiating Officer or your regional safety rep for advice.
2. **When sending the questionnaire out to individual members please include a cover letter**, explaining the purpose of the questionnaire and stress that it is a confidential exercise and that no personal details will be released to the employer or others, without the member's knowledge and consent.
3. **Fill in the name of the part of your workplace, which you are studying (at the start of the form), the date by which it should be returned and who to return it to** (both at the end of the form) and then run off enough copies to give to everyone in the part of the workplace being surveyed. Remember to keep a record of the number of survey forms you sent out and where.
4. **Distribute copies to CSP members in whichever part of your workplace you want to study.** Remember to give the survey to as many people as possible, including agency and temporary staff. Remind them about the deadline for returning the form, and who to return it to.
5. **People may want to give the information completely anonymously so you may need to arrange a post box or similar system where members can drop off their survey sheets.**
6. When the answers have come back, **check what percentage of forms have been returned. A return rate of over 50% is very good**, and should give you confidence in the results - the lower the rate of return, the less you can depend on the findings of the survey (and if hardly anyone returns the form, that may just mean there's not a big problem).
7. **Collate your results and feedback to your employer in writing** giving them a summary of your results if you think there is a problem that requires them to take action. Be sure to request in your feedback for a risk assessment and that you wish to be consulted about the process, outcomes and any action plan.
8. **If you need any help or support** in translating/summarizing your results or how to approach your employer please don't hesitate to contact your Senior Negotiating Officer or regional safety rep.



To assist you with writing to your employer below is a sample letter that you could use.

Mr A. Davies
Director of Clinical Services
St Elsewhere NHS Trust
Waterford Rd
St Elsewhere EZ 4PP

21 February 2011

Our Ref: DH/PB/GD12

Dear Mr Davies

RESULTS FROM CSP MEMBER BULLYING SURVEY IN THERAPY SERVICES

On (date), as the CSP Safety Rep for therapy services at St Elsewhere, I undertook a bullying survey of members. Attached is a blank copy of the CSP survey for your information.

I surveyed sixty members and received 55 responses. This is a response rate of 92%. With regard to question 3 - *Are you currently being bullied?* Forty five members responded in the affirmative.

This response is indicative that there may be a problem, which requires further investigation. I therefore request that an appropriate risk assessment be undertaken as soon as possible. Under the Safety Representatives and Safety Committee Regulations 1977 safety reps should also be consulted within this process.

I would like to discuss this matter further and will contact your office within the next two days to arrange a meeting.

Yours sincerely

Pete Bowler
CSP Safety Rep
St Elsewhere Outpatients Department



APPENDIX 1

There is a choice of three model questionnaires provided under Appendix 1.

Questionnaire 1 on page 29 is designed to be a short indicative survey only and is the easiest out of the three to use both for yourself who is collating and trying to make sense of the data and for the people completing the form itself. You would most certainly use this survey if your employer already has a comprehensive risk assessment/management process in place that deals with bullying.

Often an employer's risk assessment will include a detailed staff questionnaire and it therefore makes little sense to put your members through two lengthy questionnaires when your role as safety rep is to simply alert the employer there is a potential problem that requires further investigation – which is their responsibility as the employer to undertake. Questionnaire 1 does not purport to be anything other than an indicative survey, but should produce sufficient information for this purpose.

However if you feel that you need to undertake a more comprehensive questionnaire, and lack confidence that your employer won't explore sufficiently the issues surrounding the problem for whatever reason – then **Questionnaire No. 2** or **Questionnaire 3**, which is the most detailed and robust - should meet your requirements.



MODEL QUESTIONNAIRE 1: BULLYING AT WORK - (Indicative only)

Bullying is:-

Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

Bullying may be by an individual against an individual (perhaps by someone in position of authority such as a manager or supervisor) or involve groups of people. It may be obvious or it may be insidious. Whatever form it takes, it is unwarranted and unwelcome to the individual

(ACAS definition)

WORKPLACE: _____

1. Are you currently being bullied? YES/NO

2. Are you aware of others at work who are being bullied? YES/NO

3. Do you consider this behaviour is:

Very serious Serious Not serious

4. Are you being bullied by:-

Line manager/s?

Senior management?

A colleague?

A group of colleagues?

Patient, clients etc?

Visitors, other members of the public?

Other? (Please state)



5. What form does the bullying take:-

(Tick All Relevant)

Threats and abuse?	<input type="checkbox"/>
Intimidation?	<input type="checkbox"/>
Humiliation and belittling?	<input type="checkbox"/>
Setting unrealistic deadlines?	<input type="checkbox"/>
Excessive criticism?	<input type="checkbox"/>
Removing responsibility?	<input type="checkbox"/>
Ignoring or ostracising you?	<input type="checkbox"/>
Refusing reasonable requests?	<input type="checkbox"/>
Spreading lies or rumours?	<input type="checkbox"/>
Undermining your decisions?	<input type="checkbox"/>
Excessive monitoring of your work?	<input type="checkbox"/>
Shouting at you?	<input type="checkbox"/>

Any comments? _____

Thanks for completing this confidential/anonymous questionnaire.

PLEASE RETURN TO

BY



BULLYING AT WORK: MODEL QUESTIONNAIRE 2

Bullying is:-

Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

Bullying may be by an individual against an individual (perhaps by someone in position of authority such as a manager or supervisor) or involve groups of people. It may be obvious or it may be insidious. Whatever form it takes, it is unwarranted and unwelcome to the individual (ACAS definition)

WORKPLACE: _____

1. Is bullying at work?

Very Serious

Serious

Minor

Non-existent

2. Have you ever been bullied in this workplace?

YES/NO

3. Are you currently being bullied?

YES/NO

4. If so, how long ago did the bullying start?

5. Are you being bullied by:-

Line manager/s?

Senior management?

A colleague?

A group of colleagues?

Patient, clients etc?

Visitors, other members of the public?

Other? (Please state)

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>



6. What form does the bullying take:-

(Tick All Relevant)

Threats and abuse?

Intimidation?

Humiliation and belittling?

Setting unrealistic deadlines?

Excessive criticism?

Removing responsibility?

Ignoring or ostracising you?

Refusing reasonable requests?

Spreading lies or rumours?

Undermining your decisions?

Excessive monitoring of your work?

Shouting at you?

7. Does the bullying usually happen:-

Daily?

Weekly?

Monthly?

Less than monthly?

8. Are you aware of others at work who have been/are being bullied?

YES/NO

9. Have you ever had time-off because of bullying?

YES/NO



10. If so, did you tell your employer that bullying was the reason?

YES/NO

11. How has bullying affected you?

(Tick All Relevant)

- Loss of confidence
- Loss of self-esteem
- Headaches
- Loss of appetite
- Anxiety/panic attacks
- Inability to sleep
- Feeling depressed
- Increased alcohol or tobacco intake

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

12. Have you raised the problem with:-

- Line manager?
- Other manager?
- Personnel department?
- Colleague?
- Local CSP Rep?
- Other? (Please state)

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>



13. If so, was any action taken?

YES/NO

14. If yes, was the situation resolved or much improved?

YES/NO

15. If you have not raised the problem, is this because you:-

(Tick All Relevant)

Are scared of further victimisation?

Cannot face the confrontation?

Do not think any action will be taken?

Feel it is "your problem"?

Do not think you will get a sympathetic response?

Do not know who to go to?

Other (please state)

Thanks for completing this confidential/anonymous questionnaire

PLEASE RETURN TO BY



Bullying at Work: Model Questionnaire 3

Definitions of Bullying:

- “Offensive, abusive, intimidating, malicious or insulting behaviour or abuse of power, which makes the recipient feel upset, threatened, humiliated or vulnerable, undermines their self-confidence and may cause them stress”
- “The unjust exercise of power of one individual over another by the use of means intended to humiliate, frighten, denigrate or injure the victim”

WORKPLACE _____

Please leave blank any question you would prefer not to answer.

General Information

1. Are you: Female Male
2. Age group: 16-21 21-30 31-40
 41-50 51-60 61-70
3. What grade are you: Student Assistant
 TI Junior
 Senior II Senior I
 Superintendent Manager
 ESP Clinical Specialist
 Consultant Physiotherapist
4. How would you describe your ethnic origin?
 White – Any white background
 Asian or Asian British: Indian
 Pakistani
 Other
 Black or Black British: Caribbean
 African
 Other
 Mixed: White and Black Caribbean
 White and Black African
 White and Asian
 Other
 Chinese
 Other



Current Bullying

5. Are you currently being bullied at work?
- Yes
 - No – **go to Question 17**
6. How long ago did the bullying start? *(Please state)*.....
7. Who is bullying you? *(Tick all that apply)*
- Senior Manager/Head of department Superintendent
 - Senior I Senior II
 - Junior Assistant/TI
 - Student Patient
 - Other *(Please specify)*.....
8. What form does the bullying take? *(Tick all that apply)*
- Threats and abuse Intimidation
 - Humiliation and belittling Setting unrealistic deadlines
 - Excessive criticism Removing responsibility
 - Ignoring or ostracising you Refusing reasonable requests
 - Spreading lies or rumours Undermining your decisions
 - Shouting at you Racial abuse
 - Sexual abuse Excessive monitoring of your work
 - Other *(Please specify)*.....
9. How often does the bullying happen? *(Tick most applicable – one box only)*
- Daily Weekly
 - Monthly Less frequently
10. How has the bullying affected you? *(Tick all that apply)*
- Loss of confidence Loss of self-esteem
 - Headaches Loss of appetite
 - Anxiety/panic attacks Inability to sleep
 - Feeling depressed Increased alcohol or tobacco intake
 - Other *(Please specify)*
.....
11. Have you ever had time-off because of bullying?
- Yes
 - No – **go to question 13**



12. Did you tell your employer that bullying was the reason?

- Yes
- No

13. Have you raised the problem with anyone? (*Tick all that apply*)

- No – **go to question 16**
- The bully Senior staff/Manager
- Colleague Personnel/HR
- Steward Safety rep
- CSP
- Other (*Please specify*).....

14. Has any action been taken?

- Yes (*Please specify*)
.....
.....
- No – **go to question 17**

15. Following this action has the situation: (*Tick most applicable – one only*)

- Resolved Improved
- Deteriorated Stayed the same

Now go to question 17

16. If you have not raised the problem, is this because you: (*Tick all that apply*)

- Are scared of further victimisation
- Cannot face the confrontation
- Do not think any action will be taken
- Feel it is “your problem”
- Do not think you will get a sympathetic response
- Do not know who to go to
- Other (*Please specify*).....

Previous Bullying

17. Have you previously been bullied at work? (*Specifically when working within Physiotherapy*)

- Yes
- No – **go to question 31**



18. Were you bullied? (*Tick all that apply*)
- In this workplace
 - A previous workplace
 - When on placement
 - Other (*Please specify*).....
19. How long ago was it? (*Please state approximately*).....
20. How long did it last? (*Please state approximately*).....
21. Who was bullying you? (*Tick all that apply*)
- Senior Manager/Head of department
 - Superintendent
 - Senior I
 - Senior II
 - Junior
 - Assistant/TI
 - Student
 - Patient
 - Other (*Please specify*).....
22. What form did the bullying take? (*Tick all that apply*)
- Threats and abuse
 - Intimidation
 - Humiliation and belittling
 - Setting unrealistic deadlines
 - Excessive criticism
 - Removing responsibility
 - Ignoring or ostracising you
 - Refusing reasonable requests
 - Spreading lies or rumours
 - Undermining your decisions
 - Shouting at you
 - Racial abuse
 - Sexual abuse
 - Excessive monitoring of your work
 - Other (*Please specify*).....
23. How often did the bullying happen? (*Tick most applicable – one box only*)
- Daily
 - Weekly
 - Monthly
 - Less frequently
24. How did the bullying affect you? (*Tick all that apply*)
- Loss of confidence
 - Loss of self-esteem
 - Headaches
 - Loss of appetite
 - Anxiety/panic attacks
 - Inability to sleep
 - Feeling depressed
 - Increased alcohol or tobacco intake
 - Other (*Please specify*).....
25. Did you ever have time-off because of bullying?
- Yes
 - No – **go to question 27**



26. Did you tell your employer that bullying was the reason?

- Yes
- No

27. Did you raise the problem with anyone? *(Tick all that apply)*

- No – **go to question 30**
- The bully
- Senior staff Colleague
- Personnel Steward
- Safety rep CSP
- Other *(Please specify)*.....

28. Was any action taken?

- Yes *(Please specify)*

.....

.....

- No – **go to question 31**

29. Following the action was the situation: *(Tick most appropriate – one only)*

- Resolved Improved
- Deteriorated Stayed the same

Now go to question 31

30. If you did not raise the problem, was this because you: *(Tick all that apply)*

- Were scared of further victimisation
- Couldn't face the confrontation
- Did not think any action will be taken
- Felt it was "your problem"
- Did not think you will get a sympathetic response
- Did not know who to go to
- Other *(Please specify)*.....



AWARENESS OF BULLYING IN YOUR WORKPLACE

- 31.** Are you aware of others being bullied in your Physiotherapy Department?
- Yes
- No – **go to question 33**
- 32.** Is any action being taken?
- Yes
- No
- 33.** Does your trust have a policy that covers bullying? (*e.g. dignity at work, bullying and harassment*)
- Yes No Do not know
- 34.** Have you had any training on bullying provided by your employer?
- Yes No Do not know

Thank you for completing this questionnaire.

All information will be kept confidential but may be used in conjunction with other information received to analyse the problem of bullying in the workplace.

Your workplace CSP Safety Rep is trained in dealing with cases of bullying. For further information please contact your CSP Safety Rep or Steward.

Many thanks.

APPENDIX 2 (FROM THE STRESS ADVICE SHEETS SERIES)

Stress at Work - Bullying

Advice for members experiencing bullying (on an individual or collective basis)

Employers have a duty of care to you to ensure that your health, safety & welfare are protected, and this includes your mental as well as your physical health. Employers should have clear and well - publicised policies on bullying including expectations of appropriate behaviour and processes for making and investigating complaints.

A Hostile Work Environment – An organisation that sets unrealistic service targets or budget constraints can develop into a strong management regime. This often tips over into unreasonable managerial demands or aggressive behaviour towards staff. Alternatively, employers not providing adequate intervention against abusive patients may lead to staff feeling stressed and unsupported.

In such circumstances-

DO

- Notify your safety rep or steward of the situation. Participate actively in the strategy they develop. This may include things like;
 - a meeting with CSP members to discuss the problem and set up an action plan to challenge the employer on attitudes or lack of action
 - or a survey on bullying or stress to provide information to assist in the CSP's case to get the employer to take action.
- If a CSP formal collective grievance is pursued, support your union representative by attending their meetings, keeping yourself informed on developments, and give feedback when asked which may assist in the collection of evidence or inform the CSP on how to argue their case on your behalf.

DON'T

- Be apathetic or justify bad behaviour from patients as something you have to endure because of your duty of care for them. Employers should display notices/posters in wards and treatment areas stating the organisation's expectation of behaviour from patients, their relatives and friends including the consequences if they persist abusing staff. Managers should also write to abusive patients requesting an apology with a warning that services will be withdrawn if their aggressive behaviour continues. The NHS Security Management Service supply publicity material & policies for NHS Trusts promoting zero tolerance to abuse. Visit the website www.cfsms.nhs.uk to download posters etc.

Bullying by a colleague – It is important that behaviour by a colleague that causes you distress are appropriately challenged, and that your concerns are treated and responded to seriously by management and your union.

DO

- Raise the issue with your CSP safety rep or steward – others may also be suffering.
- Contact your employer's employee assistant programme or occupational health services. These should be confidential and can be a source of further support and advice.
- Keep a written record/diary of incidents, including your own responses and feelings
- If you feel able to, confront the bully, and if you can't consider writing a letter explaining why you object to their behaviour and ask them to stop
- If the behaviour is continuing after the individual has been notified of your concerns then follow your employer's complaints process as outlined in their bullying or dignity at work policies. Your steward or safety rep will support you throughout this process.

DON'T

- Put up with it – you have the right to be treated with courtesy and respect, and your actions will ensure other work colleagues are not exposed to similar behaviour.

APPENDIX 3



How to risk assess bullying at work

The HSE Five Easy Steps

Like dealing with any workplace hazard, the employer's approach to tackling bullying should be first to risk assess. Below are guidelines on how the HSE's 5 steps to risk assessment can be used to resolve or prevent bullying in the workplace.

Step 1 - Identify the hazard. A hazard is something that may cause harm, such as bullying. Bullying may take on many forms including: offensive, intimidating, malicious, or humiliating behaviour. CSP Health and Safety Information Paper No. 5 – *Bullying at Work* includes many more examples and a definition of bullying. Workplace policies also usually give a definition and list examples.

Step 2 - Decide who might be harmed and how. Staff who are the target of the bully are clearly at risk, but so are those who witness this bad behaviour. There may also be particularly vulnerable groups such as young workers, those on work experience, or those with mental health issues. All may suffer: fear, anger, stress, anxiety, and/or depression. Patients and clients may also witness the bullying, and other forms of harm may be suffered. Some victims have committed suicide.

Step 3 - Estimate the chance of harm and identify ways to avoid or reduce that risk. To work out the chance of harm, employers need to think about how likely it is that those at risk will suffer harm and how serious that harm may be - this helps to set priorities. Clearly the longer bullying goes on, the greater the risk of harm. Vulnerable individuals may be less able to cope and may therefore suffer more serious harm.

The second part of this step is to consider what can be put in place to avoid or reduce the risks. Most guidance on bullying looks at controlling the problem once it has occurred, when the approach should be about putting measures in place to prevent it happening or reducing its consequence before it occurs.

Appropriate measures might include: information and/or training for all staff on bullying and what is/isn't acceptable behaviour; training for managers and supervisors on appropriate ways to manage; promoting a workplace culture which does not unnecessarily punish individuals if something goes wrong, but instead uses the incident as a learning experience for both them and the organisation; and develops systems and procedures to promote positive communication as well as immediately tackling negative behaviours from the start.

Step 4 - Record and apply the findings. The employer should record that the assessment has been done, and include the important findings and details of any group at special risk. Any steps identified for risk prevention or reduction must now be applied.

Step 5 - Review and update it as necessary. Do the measures appear to be working? Has there been a change, complaint, or incident which suggests that a review is necessary? How do staff feel - have they been surveyed? Don't forget, whilst risk assessing, monitoring, and reviewing are the employer's duty, union safety reps have the right to be involved!



FAIR/FIRM MANAGEMENT OR BULLYING AND HARASSMENT?

The differences between a manager who is firm but fair and a manager who is bullying and harassing staff are often ambiguous. The Department for Work and Pensions equality team have developed a framework to make clear distinctions between the two management styles (see table below).

Fair but firm management	Bullying or harassment
consistent and fair	aggressive, inconsistent and unfair
determined to achieve the best results, but reasonable and flexible	unreasonable and inflexible
knows their own mind and is clear about their own ideas, but willing to consult with colleagues and staff before drawing up proposals	believes that they are always right, has fixed opinions, believes they know best and not prepared to value other people’s opinions
insists upon high standards of service in quality of and behaviour in the team	insists upon high standards of service and behaviour but blames others if things go wrong
will discuss in private any perceived deterioration before forming views or taking action and does not apportion blame on others when things go wrong	loses temper, regularly degrades people in front of others, threatens official warnings without listening to any explanation
asks for people’s views, listens and assimilates feedback	tells people what is happening, does not listen

The difference between constructive and destructive criticism

As part of the ‘everyday management process’ managers are required to provide staff with feedback concerning their performance, conduct, time keeping and so on. If any of these areas have been unsatisfactory the feedback may be critical of the worker concerned. If criticism is delivered in a constructive manner it can be beneficial to the member of staff, providing them with the opportunity to reflect on their behaviour and make any necessary improvements.

Destructive criticism, on the other hand, can have detrimental effects on staff morale and damage the psychological contract between manager and employee.

Constructive criticism will focus upon:

- actions and behaviour, i.e. what the employee has done or not done
- facts, with specific examples of behaviour that has been inappropriate and an explanation of why it was inappropriate
- future improvement, for example requiring the employee to do something differently or make changes.

Destructive criticism, on the other hand, may involve:

- aggressive behaviour, such as yelling
- personal insults or put-downs
- allocating blame rather than responsibility
- focusing on how awful the situation is, rather than on future improvement or rectification of the problem.

Appendix 5

Action planning for bullying at work

Advice for Safety Reps

Now that you have established what should be happening in relation to bullying behaviour at work, you must work out what you want to achieve. This will depend on:

- The problem
- What you have found out
- Short term aims
- Members' support and union negotiation strength
- Management's attitude to intimidating behaviour at work

So, you need to think in advance about what the minimum is that you will accept.

Involving your members

It is important to involve your members, to get them to discuss problems with each other, and to make them aware that bullying behaviour at work is a shared problem which can be constructively resolved. A questionnaire is a good way of establishing if there is a problem and providing evidence to give your employer without exposing particular individuals.

We provide three types of surveys for you to choose from, depending on your requirements and these can be found in the back of the ERUS Information Paper No.5 "*Bullying at Work*". You download this document from the CSP website. www.csp.org.uk

Members that feel strongly, and are prepared to support you, will be your main source of strength. So do:

- keep them informed about what you are doing
- involve them in planning your approach and deciding what to accept
- discuss with them whether management plans, policies and procedures are adequate
- Provide an opportunity for members to express/register their concerns by holding meetings, conducting confidential surveys and using body mapping and risk mapping techniques if appropriate.
- Inspect the workplace regularly
- Encourage members to report bullying problems to management

Proactive safety reps

Safety representatives identify whether bullying behaviour is a problem in their workplace by bringing to the employer's attention relevant details such as high staff turnover, low morale and apathy amongst the workforce. These indicators typically show up when bullying and harassment is allowed to fester without effective intervention.

Safety representative can do –

- special inspection on bullying behaviour, either by confidential individual member interviews, and/or
- surveying members using the CSP questionnaire



- if appropriate, using mapping techniques to identify problem areas. (Read ERUS paper, *Mapping for Health and Safety: A Resource for Safety Reps*)
- report concerns to management in writing

Risk Management

You can urge your employer to prepare and implement a plan to manage the risks from intimidating behaviour. You should:

- be consulted by management
- Monitor how management is following their plan
- Keep the workforce informed of progress

Ask for copies of the risk assessments that the employer has done to ensure that they are preventing and controlling the hazards, and make sure that their employer is fully consulting you and other safety representatives. Where control measures are in place you can check that they are being adhered to and maintained and also that they are effective.

Finally, check that where there is any potential risk, your employer has given staff appropriate training and information.

Policy for preventing bullying behaviour

Safety representatives can negotiate a policy with their employer. See ERUS H&S Information Paper No.5 “bullying at work” for advice. The policy should contain agreed arrangements for joint monitoring and review to assess its effectiveness.

Taking up the issue with management

Sometimes, minor issues can be sorted out informally by direct contact with relevant managers. But if bullying behaviour at work is being tackled for the first time, it is likely that you will need to raise the matter formally.

Obviously you know the best way of getting things done in your workplace, but you may need to consider such things as:

- raising the matter in writing
- encouraging other safety representatives and CSP stewards to support and back you up.
- using an agreed procedure for resolving problems, in which case you should always involve other relevant union representatives’
- raising the problem directly with senior management if it is urgent.
- using safety committees’ which can sometimes help to make plans for implementation

Union pressure and arguments

You will need a well-argued case and you should refer to your research on bullying behaviour at work. But the main source of negotiating strength is a well organised membership with the support of your own colleagues, and their determination to secure improvements.

Evaluating the Outcomes

When you have carried out the appropriate action in the workplace, you should evaluate the outcomes. This is important because it allows you to reflect upon what has happened and determine what if anything needs to be done next.

Don’t hesitate to contact your Senior Negotiating Officer or Regional Safety Rep at any time for advice and support.