

“Those who can, do. Those who can’t, bully”

Health and Safety for Beginners

Prepared by

John Johnston AIIRSM

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Summary

Given the nature of the topic of this report and the extensive research carried out previously by various professional bodies, the main objective aims to convey the reality of management failings as being a major contributory factor to workplace bullying. These failings are attributable to the enormous costs and strains workplace bullying places on individuals, organisations and the economy.

The findings within the report demonstrate the high figures of individuals who could be victims of repeated workplace bullying and also of the commonality of middle managers and senior managers who use their power to bully. Thus, creating a culture in which bullying is prevalent.

Various pieces of information were drawn upon to demonstrate the cost not only in financial terms towards organisations or to the economy, but of the humane costs to individuals affected by the stress caused by workplace bullying. Methods of identifying bullying behaviour are also highlighted which brings forward the emerging phenomena of 'Cyberbullying' into the examination.

Although employers have a duty of care to their employees placed on them by various pieces of health and safety legislation, there is no specific law concerned solely with workplace bullying. However, the report details a list of pertinent legislation which may construe some forms of harassment or prejudice as bullying, therefore giving protection to targets of workplace bullying using differing avenues.

Conclusively, the report identifies the need for a step change in our society through effective risk management strategies, not only to reduce costs, but to strengthen the fact that workplace bullying is unlawful, detrimental to all those involved and most of all it will not be tolerated. This could be achieved by management leading by example; implementation of bullying policies; essential awareness and dissemination of information pertaining to zero tolerance; and of continual monitoring and review of the entire process. Aspirations must be towards dignity.

Introduction

The profile of workplace bullying has been raised considerably over the previous two decades through various official bodies and charities such as: the Suzy Lamplugh Trust; the Andrea Adams Trust and the Trades Union Congress (TUC). All of which highlight the prevalence that many recognised work-related illnesses affecting our society, are due to workplace bullying and should not be tolerated.

The scope of this report investigated in very broad terms, the extent of the costs associated with workplace bullying within the United Kingdom, in both pecuniary and health related terms as a whole. The aim was to identify the significant findings of workplace bullying as being commonplace in the United Kingdom and the importance of recognising that workplace bullying may emanate from management at the highest levels. The report also highlights various pieces of legislation that may be pertinent to cases of bullying in the workplace, and to the very real threat to an organisation's success if a methodical approach to risk management is not adopted.

Research for the purpose of this project anchored on a study by Mercer (2000) where 3,511 permanent British employees, who work 14 hours or more per week, were included in the study. Monetary facts and figures were obtained from the Health and Safety Executive's (2003) report, which provides a wide calculation of the effects of work-related accidents and ill-health to the economy. The House of Lords Hansard was consulted on relevant legislation pertaining to the topic of the report and the Dignity at Work Bill, which is currently under discussion.

An unendorsed survey was carried out online which targeted health and safety professionals in the United Kingdom (*Health and Safety for Beginners, 2004*). The aim was to extrapolate the figures relating to the United Kingdom workforce and to complement the conclusions held within this report. Although the Health and Safety for Beginners (2004) report gave evidence of high bullying figures, there were limitations, for example: a very small number of participants in comparison to other studies used for this project; no age or gender indications; and no clear definition of what the study perceived as 'bullying'.

Conclusions

Evidence has been shown to suggest that workplace bullying has a significant part to play in many of the main work-related illnesses that workers in the United Kingdom suffer each year, and of the consequential costs to the individual, organisation and the economy as a whole.

The main findings of the various reports consulted for this project are indicative of the management failings regarding detrimental behaviour towards individuals in the workplace. Validated by the fact that many workplace bullies are indeed at both middle and senior management levels, inevitably leading to a negative culture where there is a general acceptance that certain bullying tactics are undertaken by management in the belief of 'strong' managerial methods. It is reasonable to assume that after complaining to management concerning bullying, there is little effect, and the behaviour could be exacerbated causing greater problems for the targeted individuals or groups.

Workplace bullying has been identified as a risk to the success of any organisation, where the prevalence of bullying behaviour may lead to various unwanted costs being incurred through the effects of workplace bullying. The immediate costs to an organisation are clear indications of issues that must be dealt with promptly and effectively by appropriate risk management systems. For example, an individual may take time off from work suffering stress through bullying, hence, leaving the organisation short of skilled labour and lost production etc. In turn, this may eventually lead to the individual suffering long-term illness or depression and may leave the individual unable to return to work at all, ultimately leading to legal proceedings. The organisation is left with a large legal bill and the costs of employing new skilled labour, retraining, loss of corporate image, reduced shares etc. (See section 3).

Not only are there various monetary costs and business perceptive costs involved with workplace bullying, moreover, this report emphasises the costs to the individual and of their future physiological and psychological well being which as a consequence, may lead to suicide for many of those who suffer.

As has been noted previously, a global approach to risk management which accepts recognition of the fact that a problem exists within an organisation in the first instance, is a key factor for effective controls of workplace bullying. It has also been identified that the need for confidentiality, sensitivity and fairness, is essential if the controls implemented are to effectively eliminate the serious risk of workplace bullying.

Finally, we can conclude from the highlighted legislation in that there would appear to be a plethora of statutory provisions which may be able to protect individuals who suffer workplace bullying in various forms, yet there is no singular legislative text that would perhaps be more beneficial to society as a whole.

Recommendations

In the context of this report, it is interesting to note the large economic and sociological losses to the United Kingdom through workplace bullying, yet, as a civilised society we would perhaps expect more recognition and acceptance of individuality from our peers and mentors. For example, that of a supervisor who tries to take advantage of a subordinate's suggestion or work for his or her own personal gain.

It is clear that greater emphasis needs to be placed on risk management and general management skills in order to combat workplace bullying. As stated previously, workplace bullying is an issue requiring recognition within an organisation before decisive attempts at elimination of the problem can begin. A particular way forward could be with the implementation of an influential singular statutory provision, which clearly defines workplace bullying and how it must be dealt with. This is not a new perception and is well known for its debate within Parliament. Even so, further research and consultations with the United Kingdom workforce and organisations such as, the Confederation of British Industry (CBI) and the Trades Union Congress (TUC), could increase the chances of a Bill such as this being passed.

Authoritative guidance from the Health and Safety Executive or other professional bodies such as the Institute of Personnel and Development (IPD), may serve as an alternative to new regulation whilst the debate for new legislative changes continues.

Although not a new concept, it may be a prudent step to create a national forum where people could meet two or three times per year in order to discuss issues relating to workplace bullying. The forum concept would enable a support network to be created for victims, training and workshops could be utilised and it would allow liaisons with other smaller forums and external organisations. The main aim of the forum would be to gain valuable feedback, at source, of strategies in combating workplace bullying that work and those that do not. Furthermore, this would allow the national forum to umbrella the various smaller forums already in existence, and would increase the chances of greater media attention for various invaluable campaigns including new and existing internet and telephone help services.

1. The Definition of Bullying

1.1. This report examines bullying in the workplace in general, how it affects the individual, the organisation and the economy as a whole. As of yet, there is no international consensus on the definition of workplace bullying, however, there are many independent definitions to choose from. This report has engaged the definition from The Advisory, Conciliation and Arbitration Service (ACAS).

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

1.2. This definition highlights the ‘misuse of power’ which aims to cause negative psychological or physical harm to another, leading to high risks within an organisation from those further up the hierarchical structure emanating throughout the workforce. Effective controls through adequate risk management procedures can reduce this behaviour to a minimum level.

1.3. According to a survey (*Mercer, 2002*), of 3,511 British employees, 21% (1 in 5) say they have been bullied at least once during the previous year with 8% of the results showing employees have been bullied on several occasions. The survey also shows that 2% of the respondents have been bullied six or more times in the previous year.

1.4. Dr. P. Gilbert (2002), Head of Organisational Research & Effectiveness at Mercer commented on the study.

At first glance, these numbers appear to be relatively low, but when extrapolated to the UK workforce...These findings indicate that well over 1.5 million workers could be the victims of repeated bullying at work. (Dr. P. Gilbert, 2002).

1.5. The report concluded that bullying not only affects the general worker in an organisation, but also middle managers and senior managers with figures showing that 24% and 17% respectively of these groups have been bullied at least once during 2002 (*Mercer, 2002*).

1.6. Dr. Gilbert believes the ‘high rate of bullying amongst managers is a particular area of concern’. This emphasises the reality of the culture for bullying and how it transpires throughout the entire organisational structure, which will remain deep-seated and will carry on as long as managers continue to bully. (*Dr. P. Gilbert, 2002*).

1.7. According to an unendorsed survey (*Health and Safety for Beginners, 2004*); see Appendix 3, results reflected similarly to the Mercer (2002) study with extrapolated figures showing high instances of workplace bullying.

2. Typical Bullying Behaviour

- 2.1. Bullying behaviour may occur in many forms and may also be carried out by assorted members of the workforce such as: co-workers, supervisors, managers or it may also involve groups of people within an organisation. The behaviour might be obvious or it might be insidious, nevertheless, the effects can be detrimental not only to the individual target/s of bullying, but also to the organisation. A selection of diverse typical bullying behaviour experienced by some organisations can be found in Appendix 1.
- 2.2. The end result is often very similar. The recipient will suffer negative effects and may be made to feel upset, threatened, humiliated or vulnerable. Thus, in turn undermining their self-confidence leading the target to suffer stress or other recognised illnesses as a direct result from bullying, several of which can be found in Appendix 2.
- 2.3. Bullying is a gradual, prolonged and demeaning behaviour that leaves the 'victim' feeling inadequate and often leads to depression for the recipient. Furthermore, bullying is not only limited to physical behaviour in our changing times, but also with the creation of new technology.

Cyberbullying involves the use of information and communication technologies such as e-mail, cell phone and pager text messages, instant messaging...to support deliberate, repeated, and hostile behaviour by an individual or group, that is intended to harm others (Bill Belsey, 2000).

3. Costs in Relation to Bullying

- 3.1. The costs of bullying in Great Britain contribute to the figures published by the Health and Safety Executive (HSE) in their 'interim update of the estimated costs of workplace accidents and work-related ill health' during 2001/02, where the costs to employers, individuals, the economy and society are estimated as follows (*HSE, 2003*):
 - employers - between £3.9 - £7.8 billion,
 - individuals - between £10.1- £14.7 billion,
 - the economy - between £13.1 - £22.2 billion,
 - society as a whole - between £20 - £31.8 billion,
 - working days - 18m lost annually due to bullying (*Hoel et al, 2000*).
- 3.2. In comparison to the figures from the HSE, Bullyonline (2004) has made a conservative calculation of the typical cost to UK plc of around £32 billion per year. This figure does not take account of various indirect costs which organisations may incur, for example, loss of investment in training and experience of employees, staff turnover costs etc, (*Bullyonline, 2004*).
- 3.3. The consequential costs of bullying to an organisation can be colossal as

established from the figures previously shown. Figure 1 (Hoel et al, 2000) below shows various effects on an organisation which may convey additional costs.

3.4. The costs to the individual might not only be in monetary terms, home and social life may also encompass negative effects as a direct result of bullying in the workplace, where a partner and/or children will feel the effects of stress through workplace bullying (Bullyonline, 2004). They could be bullied out of a job and then seen as a troublemaker for taking their previous employer to tribunal. Prospective employers may also see poor attendance from stress related illness as a negative to employing individuals, regardless of the law protecting against discrimination (Bullyonline, 2004). A selection of effects on the individual are listed in Figure 2 (Hoel et al, 2000).

Figure 1

<u>Effects of Bullying on the Organisation</u>
Absenteeism
Effects on witnesses
Grievance
Litigation
Loss of skills
Mistakes and/or accidents
Performance
Presenteeism
Training
Transfer costs
Turnover

Figure 2

<u>Effects of Bullying on the Individual</u>
Commitment
Fear for both target and witness
Insecurity
Involuntary termination of contract
Irritability
Job dissatisfaction
Motivation
Obsessive
Poor concentration
Post traumatic stress disorder
Social withdrawal/deterioration of relationship
Stress effects: physiological, psychological, behavioural
Suicide
Tobacco/alcohol consumption increase

4. Legislation Encompassing Bullying

- 4.1. Bullying is not only degrading and disrespectful it is also a major cause of ill health which can lead to accidents or loss in the workplace. Although current UK health and safety legislation does not explicitly cover workplace bullying (*Rotherwick 2002*), employers have duties under Statute, common and contractual law to protect workers implicit in the various pieces of legislation highlighted in the following paragraphs.
- 4.2. The *Health and Safety at Work, etc Act 1974 (Health and Safety Homepages, 2004)* places general duties upon employers to ensure the health (inclusive of mental health), safety and welfare of their employees. As bullying is a major cause of ill health and can lead to accidents in the workplace, it is clear that employers have a general duty to protect workers.
- 4.3. The *Management of Health and Safety at Work Regulations 1999 (HMSO, 1999)* requires employers to carry out suitable and sufficient risk assessments, which must identify all hazards. Bullying is a hazard which can lead to harm in the form of ill health, and accidental injury.
- 4.4. Although workplace bullying is difficult to distinguish from other forms of harassment, the following laws may recognise the duty of care of employers towards the issue of workplace bullying:
 - a. *Sex Discrimination Act 1975 (Amendment) Regulations 2003*, as it implements the EC code
 - b. *Race Relations (Amendment) Act 2000*
 - c. *Disability Discrimination Act 1995*
 - d. *Employment Rights Act 1996*
 - e. *Criminal Justice and Public Order Act 1994*
 - f. *Protection from Harassment Act 1997*
 - g. *Public Interest Disclosure Act 1998*
 - h. *Employment Relations Act 1999*
 - i. *Trade Union and Labour Relations (Consolidation) Act 1992*
 - j. *Human Rights Act 1998*
 - k. *Employment Equality (Sexual Orientation) Regulations 2003*
 - l. *Employment Equality (Religion or Belief) Regulations 2003*
 - m. *Contractual duties - It is an implied term of every contract of employment that the employer ensures the safety and health of their employees.*

5. Management Controls

- 5.1. When deciding on the particular management strategy to develop whilst combating bullying in the workplace, it is essential to use best judgement in the decision (*Rayner et al, 2002*). It should however, be made clear from the outset by way of a formal written policy, that bullying and harassment will not be tolerated within the organisation and can be unlawful. A clear statement of intent from senior management acknowledging that bullying is a

serious problem within the organisation and may have disciplinary consequences is essential for setting clear goals and objectives (*Ishmael & Alemoru, 1999*). The policy should stress the confidentiality of any complaints and ought to lay out clear guidelines of complaints procedures, both informally via counselling etc, and through relevant formal channels. Staff should be made aware of the policy and of whom their first contact will be in the event of a complaint. This first contact will also have essential and relevant training to treat the matter with the sensitivity it requires for the sake of all involved.

- 5.2. Leading by example is an effective way of implementing sensitive issues comparable to bullying, where management behaviour is as important as the formal procedures within the policy (*Acas, 2004*). Written standards of behaviour expected from staff within the organisation may have positive effects if, rather than highlighting a vast list of negative behaviour such as, ageism, racism, sexual harassment or unfounded whistle-blowing etc, a list of behaviour to aspire to is often preferred, for example, honesty, integrity and dignity for all (*Rayner et al, 2002*).
- 5.3. The entire approach to the serious issue of bullying must be undertaken and dealt with fairly, confidentially and sensitively with any investigation being acted upon promptly and objectively, and must also be taken seriously by whoever is involved. As with all good management practices and policies, monitoring, review, information, instruction, training and consultation is essential for the continual success of the entire process to meet its objectives.

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Appendix 1: Typical Bullying Behaviour

This is not by any means an exhaustive or prescriptive checklist, nor is it intended to draw conclusions as to the stereotypical bully, rather it can help to identify and recognise when bullying is occurring in a workplace. The list is constructed from the various sources listed in the References and Bibliography sections of this report.

- Withholding information
- Excessive work monitoring
- Unrealistic target setting
- Belittling remarks
- Malicious rumours
- Persistently picking on people in front of others, or in private
- Shouting at staff to get things done
- Insisting that their way of doing things is always right without discussion
- Refusing to delegate
- Punishing others for being too competent by constant criticism
- Persistent and undue criticism of work and other things
- Monitoring every detail and being excessively critical about minor things
- Setting people up to fail and then reminding them of their mistakes
- Taking the credit for the other person's work but not the blame when things go wrong
- Setting impossible objectives, or changing timetables at short notice
- Excluding people from meetings and withholding information
- Blocking promotion opportunities
- Teasing or making someone the butt of jokes
- Hurtful comments and name calling
- Devaluing the person on grounds of personal characteristics
- Isolating and ostracising, refusing to speak to the person
- Refusing reasonable requests for leave, training etc
- Open aggression, threats, verbal abuse or physical threat, use of obscenities or inappropriate language
- Spreading malicious rumours about professional or personal matters
- Sudden rages or displays of temper against an individual or group, often for trivial reasons

Appendix 1: Typical Bullying Behaviour, Continued

- Never listen to others' point of view or always cutting across people in conversation Deliberately withholding information which the person needs to do their job effectively
- Setting menial or demeaning tasks which are inappropriate to the job
- Making threats or inappropriate comments about career prospects or job security
- Racial abuse
- Disability harassment
- Sexual harassment

Appendix 2: Illnesses Associated with Workplace Bullying

This is not by any means an exhaustive list of illnesses derived from bullying in the workplace, it is merely a short example of the most well known types of illness associated with workplace bullying. (*Bullyonline, 2004*).

- Headaches
 - Migraine
- Nausea
- Raised blood pressure
- Sleeplessness
- Loss of appetite or increased appetite
 - Weight loss or weight gain
- Fatigue
 - Increase risk of accidents at work
- Ulcers
- Anxiety
- Depression
 - Increase in the use of anti-depressants
- Tearfulness
- Irritability
- Becoming withdrawn
- Becoming aggressive
- Post Traumatic Stress Disorder (PTSD)
- Increase consumption of tobacco or alcohol/drugs
 - Possible increase in theft from work
- Increase in time off from work duties
- Contemplation of suicide

Appendix 3: Health and Safety for Beginners (HSfB) Bullying Survey

This survey comprised of four basic questions with a simple radio button to check as an answer. The questions were as follows:

- Have you have ever been bullied in your career?
- Have you been bullied in the past 12 months?
- Have you ever witnessed bullying in the workplace?
- Have you NEVER encountered any sort of bullying in the workplace?

Population of the UK = 60,000,000 (*Bullyonline, 2004*)

Number of workers/employees = 28,000,000 (*Bullyonline, 2004*)

Survey participants, targeted at health and safety professionals = 101

Those participants who have been bullied *and* have witnessed workplace bullying = 39.6% (1 in 2.5).

As a conservative estimate, the ratio has been doubled to 1 in 5.

Therefore, 1/5 of 28,000,000 equates to **5,600,000** members of the UK workforce who have been bullied in their working life, or have witnessed workplace bullying.

The illustration below shows the combined results from the survey whereas; each participant could have chosen as many answers in the survey that suited their experience.

