

## THE HISTORY OF THE TRUST

Andrea Adams, broadcaster and journalist, was the first person to recognise the significance of workplace bullying, and her book entitled 'Bullying at Work' published by Virago in 1992, remains a landmark in this field.

Andrea's tragic early death in 1995 left a legacy of many people affected by her personality and her work. They felt deeply that her contribution must not be forgotten and that the work she had started must be continued. They became the founding members of the Trust in June 1996.

In setting up the Trust to carry on Andrea's work, it was their intention to fill the gap that she had left and to become the natural focus for the diverse needs the agenda inevitably elicited by this emotive topic which touches so many people.

The Trust was launched as a non-political, non-profit making charity in June 1997, registered as a National Charity No. 1064539 and a Company Limited by Guarantee No. 03427802.

The Trust works to reduce the incidences of workplace bullying through raising awareness by:-

- Research & Publication
- Training & Education
- Promoting good practice
- Campaigning for effective legislation

The Trust enables those who have been bullied to receive immediate support and advice so that ideally, they can retain their jobs and stop the bullying. It does not see those who have suffered workplace bullying as everlasting victims, but supports them as they work to regain their self-confidence, esteem and health.

The Trust acts as a facilitator and co-ordinator, operating with other agencies and organisations where appropriate and offers guidance and support both to employees and employers.

Our pledge is to help all those involved to step back from this tangled and highly emotional experience and see it with a measure of detachment and objectivity.

## WHAT IS WORKPLACE BULLYING ?

One of the difficulties in approaching the problem of workplace bullying, is that it may be hard to recognise and its effects may be attributed to something else, for it creeps up on you long before you are able to appreciate what it is that is making you feel the ill effects.

Bullying is a gradual wearing down process that makes individuals feel demeaned and inadequate, that they can never get anything right, and that they are hopeless, not only within their work environment, but also in their domestic life.

## EUPHEMISMS FOR BULLYING

A good deal of workplace bullying can be overlooked or excused because of a number of euphemisms which are frequently used to justify bullying behaviours:-

- Harassment
- Intimidation
- Aggression
- Bad attitude
- Coercive management
- Personality clash
- Poor management style

## DEFINING WORKPLACE BULLYING

There really is no simple definition of bullying because it can take so many forms, occur in a variety of situations and crosses gender, race, age and can involve one or a number of individuals. However, the Trust defines this behaviour as:-

- Unwarranted humiliating offensive behaviour towards an individual or groups of employees.
- Such persistently negative malicious attacks on personal or professional performance are typically unpredictable, unfair, irrational and often unseen.
- An abuse of power or position that can cause such anxiety that people gradually lose all belief in themselves, suffering physical ill health and mental distress as a direct result.
- Bullying can be regarded as the use of position or power to coerce others by fear, persecution or to oppress them by force or threat. It has been identified as a more crippling and devastating problem for both employees and employers, than all the

other work related stresses put together. Workplace bullying can range from extreme forms such as violence and intimidation to less obvious actions, like deliberately ignoring someone at work. Yet the disturbing manifestations of adult bullying in this particular context are widely dismissed.

## STRONG MANAGEMENT OR BULLYING ?

Bullying is a sustained form of psychological abuse and often emanates from a senior person taking what they feel is a 'strong line' with employees. There is, however, a fine line between strong management and bullying. That line is crossed when the target of bullying is persistently downgraded with the result that they begin to show signs of being distressed, becoming either physically, mentally or psychologically hurt. It can be distinguished from other work related problems, in that it is not the intention of the perpetrator, but the deed itself and its impact on the recipient or target that constitutes workplace bullying.

Experts agree that bullying thrives where it is common behaviour across the management hierarchy. This is especially the case in highly competitive environments where many individuals consider bullying as the accepted method of motivating staff. In organisations that pride themselves on strong management, bullying can soon become part of the company's culture and management will be seen by their employees to have condoned such behaviour simply through their inaction.

Employees may feel that they have to put up with bullying behaviour as part of the job, and may not wish to complain for fear of further victimisation or of being labelled a troublemaker

Yet, what sort of workplace can really condone a form of behaviour which engenders fear in their employees. People cannot contribute their best when under fear of harassment, bullying or abuse.

**BULLYING HAS BECOME A  
PROBLEM THAT IS NOW TOO  
COSTLY TO IGNORE.**



...AND WORDS CAN  
OFTEN HURT ME

## EARLY WARNING SIGNS

How to tell if you are really being bullied.

If you feel:-

- The working relationship feels different from any you have previously experienced
- You are being persistently 'got at'
- Your work is being criticised even though you know that your standards have not slipped
- You start beginning to question whether these mistakes you are supposed to have made, really are your fault.

If this is an accurate picture of what is happening to you at work, reflect on what has happened in the recent past and ask yourself, if everything was alright before, then why not now ?

- What has changed ?
- Do you have a new boss ?
- Has pressure on your current boss increased ?
- Have you recently changed jobs ?
- Are your objectives being repeatedly altered ?
- Have you been asked to do things outside your job description ?
- Are you under more personal scrutiny ?
- Are you feeling less involved ?

Something about you may make the bully feel threatened and want to get rid of that threat, intentionally or otherwise. The bully will be looking for any reason to accuse you of poor performance which could lead to your eventual dismissal. It is essential at this stage to maintain your self-respect.

## WHY ME ?

A victim is usually selected on the basis that they are either more attractive, competent, successful, popular. It is a sad fact too that the victims of office bullies are often usually above average performers, efficient and often better at what they do than those who bully them. These reasons stand well above the usual reasons for being targeted, such as standing up for a colleague who is being bullied, being highly qualified or experienced, inability to fight back, vulnerability, low assertiveness, whistleblowing, being 'different' etc.

## TAKING ACTION

Before you decide to take action through official channels, it is worth considering an informal approach. Bullying at work usually affects several members of staff at any one

time. The more people experiencing the same type of conduct, the less likely any complaint will be thought of as a personality clash on your part. So, check to see if any of your colleagues are experiencing the same treatment as you.

Initial tactics recommended to deflect the bully are broadly to stand firm, remain confident and keep calm. Asserting yourself by keeping a detailed record of every verbal or other attack will provide sound evidence to confront the bully with at a later stage. The need for proof is essential.

If you feel you are being bullied at work you should not suffer in silence but should seek immediate advice from your union or personnel/health and safety officers. Those who are the prime targets often feel ashamed to talk about it with colleagues because they feel their professional credibility is being called into question. Be strong, it is not your fault.

Loss of confidence, the confusion of professional and personal characteristics and abilities, the feeling of shame and degradation, is all part of the victim experience.

**Do not become isolated, seek support and remember you also have a position of power because your ability or popularity threatens the bully – that is why you are the target.**

Bullying is a severe offence which must be taken seriously by all employers. Your complaints must be believed and dealt with swiftly and sensitively. All too often however, this is not the case.

## THINGS TO REMEMBER TO DO

Make sure that you know exactly what your job description is so that you can check whether the responsibilities you are given match it.

Keep a record of all incidents which cause you distress or are undermining, and any disparaging attacks on your character or personal competence – log dates and details and write down your feelings after each such occurrence together with your own response.

Keep copies of all annual appraisals and correspondence relating to your ability to do the job.

Try to get witnesses to bullying incidents – try to avoid situations where you are alone with the bully.

Talk to colleagues and see if they will support you.

If the bully has made any disparaging claims against you then send them a memo refuting them. Any reply will add to your evidence, as will a refusal to respond.

Find out if your employer has a policy on harassment or unacceptable behaviour, which may cover bullying.

Take evidence of your experience to your trade union, welfare officer, equal opportunities, health & safety, occupational health advisers or personnel officers. Keep your complaint as objective as possible so that you can't be accused of filing the complaint out of malice or ambition.

Stand calm and firm and do not allow yourself to be a victim but do not take action alone if you are afraid of losing control.

Sick leave need not be a sign of weakness, it can be a strategy to take time over decisions about what to do next.

Make sure you keep all those you have asked for help informed of all developments.

Follow the company grievance procedures with the help and support of your union or personnel officers.

If you do decide to resign, let your company know that you are leaving because you have been bullied. It may well help others in future.

If you wish to pursue a legal claim against your employer for constructive dismissal or a personal injury claim, seek advice from your union in the first instance, for if you have a well founded case they will take it up on your behalf.

Talk to friends and family for emotional support. Find out from your GP if counselling is available and make an appointment.

Remember that you are the most important person in all of this and to look after yourself is of paramount importance.

**REMEMBER THAT BULLYING IS NOT YOUR FAULT!**

## THE EFFECTS OF BULLYING BEHAVIOUR

This widespread phenomenon is one of the most destructive forces eroding the professional lives of men and women who have to go to work. The unpredictable behaviour and the often unseen aggression of a bullying boss engenders fear and paranoia in large numbers of employees. It makes their working lives utterly miserable, leaves people full of self doubt, affects performance and is the source of both high absenteeism and in many cases, prolonged sick leave.

Bullying at work is the precursor of alarming and unimagined misery for its recipients and is synonymous with tragic consequences. There are documented cases of major physical impairments of health and many more cases involving nervous breakdown, psychological distress and personality change, besides the intolerable pressure of acute financial repercussions and the total fracturing of careers. It has a devastating effect on the bullied persons family.

People who find themselves being bullied – and this is a subjective test – often suffer from the following symptoms:-

### PHYSICAL

- Sleeplessness
- Nausea
- Migraine/severe headaches
- Palpitations
- Skin complaints
- Sweating/shaking
- Stomach problems
- Backache
- Loss of appetite
- Lethargy

### EMOTIONAL

- Acute anxiety
- Feeling isolated
- Loss of confidence/self esteem
- Depression
- Panic attacks
- Anger
- Mood swings
- Lack of motivation
- Suicidal thoughts

Many individuals who bully will excuse such behaviour as a necessary means of motivating an employee in the highly competitive commercial environment of today. However, the impact on an organisation can be devastating:-

- Increased sick absence
- Increased absenteeism
- Reduced productivity

- High staff turnover
- Costly retraining
- Low staff morale
- Demotivation
- Increase in tribunal cases
- Civil action for stress
- Costly law suits
- Risk to public image
- Damage to corporate image
- Loss of client / customer confidence

Bullying in organisations is, therefore, not only a problem for the individual but also for the organisation as a whole. Where bullying is accepted as good robust management, it filters from the top down. Regardless of the long term effects on employees, the emphasis here is short term success.

Profit is what matters, regardless of the fact that it is people's efforts that make it possible. In general, staff are not listened to, valued for the contributions they have to offer, or respected as individuals and therefore, treated with dignity. In this type of hostile atmosphere, paranoia will prevail as staff think of little else other than the bully's next outburst. Not surprisingly, people lose their ability to concentrate or to be creative.

- The effects of workplace bullying are estimated to be responsible for between one third to a half of all stress related illnesses. **UMIST**
- More than two million people at work consider themselves as being bullied. One in four people report to have been bullied within the last five years. **UMIST**
- Unofficial estimates put the cost of stress related illness in the workplace as high as twelve billion pounds or more.
- 18.9 million working days are lost each year as a direct result of workplace bullying **UMIST**. With 30 times more days lost to industry than those lost through industrial disputes. **DEPARTMENT OF HEALTH**
- 3.6% of salary budgets (national average) is paid to people absent from work due to stress related illness. **DEPARTMENT OF HEALTH**
- 43.5% of employers do not have a policy to deal with workplace bullying. 93.1% of all Personnel practitioners say that bullying is occurring in their own organisations. 82.2% say that weakness in management is the prime reason for bullying. **PERSONNEL TODAY/ ANDREA ADAMS TRUST SURVEY 1999**

## WHAT TYPE OF BULLYING BEHAVIOUR?

Bullies are often insecure people who do not trust others and see them as a threat to their own positions. Their techniques range from outright aggression such as shouting and swearing and humiliating their victims in front of others, to psychological torture.

Bullying can begin innocuously enough, so that the victim is at first unsure of their suppressor's intentions. A bully will give somebody tasks to do they know can not be achieved in the time given, designed to set up somebody to fail. They also remove responsibilities, giving somebody very trivial tasks instead, or they constantly change instructions, persistently nit pick or freeze the target out.

These are covert things that are not seen by outsiders and the victims of this behaviour do not realise what is happening to them until they are so drained and weakened they haven't the strength to fight back and start to stay away at work.

### OBVIOUS BULLYING BEHAVIOUR

- Repeatedly shouting or swearing in public or private
- Public humiliation
- Persistent criticism
- Constantly undervaluing effort
- Personal insults and name calling
- Persecution through fear or threats
- Dispensing unfair punishment out of the blue
- Increasing responsibility whilst decreasing authority
- Being overruled, ignored, marginalised or excluded

### LESS OBVIOUS BULLYING BEHAVIOUR

- Setting individuals up to fail
- Setting uncontracted tasks
- Setting unrealistic deadlines for an increased workload
- Removing areas of responsibility and imposing menial tasks
- Deliberately sabotaging or impeding work performance
- Constantly changing guidelines
- Withholding work related information

## HELPING YOURSELF

Perhaps the most common piece of advice given to those being bullied is **CONFRONTATION**. However, this apparently straightforward and common sense approach is more likely to enrage than to persuade the person to see reason. It will almost certainly result in an increased vindictiveness towards the accuser.

Confrontation is too unsafe an approach to be made by the individual alone. **GET SUPPORT AND ADVICE**. Speak to your working colleagues who may also be suffering the effects of the same bullying behaviour. Contact your union representative, occupational health officers, welfare and counselling officers. Take the matter up with your line management or personnel officers. Obtain a copy of your employer's harassment / bullying policy and grievance procedures.

If objectives or instructions are unclear, ask for written clarification. Explain that this will provide an aide-memoire to help you achieve the aims within the given time. **IF THINGS DO NOT IMPROVE, YOU ALSO HAVE VERY IMPORTANT EVIDENCE**.

Check with previous work appraisals to confirm that it is not your performance that has altered. Ask your colleagues for their honest assessment. It may well be that without realising it you have allowed the bullying to go on for too long. Without any other clues to recognition, the clearest indicator that something is seriously wrong is your health and the levels of stress that you are under.

## THE LEGAL POSITION

There is no specific legislation in the UK dealing with the issues of workplace bullying, but a number of areas of law may be relevant and applicable.

### CRIME AND DISORDER ACT 1998

### CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1995

### DATA PROTECTION ACT 1998

### DISABILITY DISCRIMINATION ACT 2004 (amends the Disability Discrimination Act 1995)

### EMPLOYMENT ACT 2002 (Dispute Resolution) Regulations 2004

### EMPLOYMENT RIGHTS ACT 1996

### HEALTH AND SAFETY AT WORK ACT 1974

### PROTECTION FROM HARASSMENT ACT 1997

## RACE RELATIONS ACT 1977

## SEX DISCRIMINATION ACT 1975

The Employment Act 2002 states that from 1st October 2004, **ALL** employers must have statutory minimum dismissal and disciplinary procedures in place. These procedures give any employee the right to begin a formal grievance to investigate their complaint. However, the formal grievance procedure must have taken place before any complaint is made to Employment Tribunal.

For further detailed information, The Andrea Adams Trust Legal Report is a unique report written by the Trust together with the help of leading Barristers from Cloisters Chambers. This has simplified the current legal position on workplace bullying and made it the definitive legal guide available on the subject. Please see our Publications List for purchase.

## REMAINING IN EMPLOYMENT

An employee can remain in employment while making a claim for either Personal Injury, Sex / Race / Disability discrimination, Sexual / Racial / Disability harassment or Intentional harassment.

## LEAVING EMPLOYMENT

In addition to the above, an employee could claim either:- Constructive Dismissal, Unfair Dismissal, Personal Injury or Breach of Contract.

Employers have a 'duty of care' to look after the health and safety of all their employees, this is required by:-

- **Statute** – the Health and Safety at Work Act – 1974
- **Common Law** – under the law of negligence and
- **Contract Law** – it is an implied term in the contract of employment that the employer will ensure the employees health, safety and welfare.

## SUMMARY

The Andrea Adams Trust asks:-

"Does the courtroom really have to be the appropriate battleground?"

Surely in reality the ideal place to solve the problem must be in the workplace itself. Recognition and awareness of workplace bullying is essential if we are to move forward.

Mechanisms to deal with bullying are very hard to identify but nevertheless are required in an attempt to work towards good human relations at work.

## ENDPIECE

Raising awareness is the primary aim of this factsheet, however, until organisations react in a positive way towards bullying at work, professional survival is down to three opinions:-

- Leave to escape the problem altogether
- Accept what is happening because of financial commitments and your desire to work
- Stand firm and take action

We hope that this factsheet has helped you to understand this comprehensive subject, however, if you would like any further information or support, please contact us.

## A 10 POINT SURVIVAL PLAN

- 1 Make an appointment with your doctor and tell him / her what is happening to you at work.
- 2 Follow medical instructions and get signed off if necessary.
- 3 If counselling is available at work make an early appointment to talk through your experience.
- 4 If no workplace counselling is available then check to see if your medical practice has a counselling service. If not, then find a service in your area.
- 5 Make a conscious effort to eat a well balanced diet.
- 6 Learn to relax.
- 7 Maintain contact with friends outside work. You will need a good listener.
- 8 Make time to do the things you enjoy outside work.
- 9 Give yourself treats and keep your sense of humour.
- 10 Get in touch with The Andrea Adams Trust or a similar organisation who can advise and support you.