

# BULLYING AND HARASSMENT

The Isle of Man Government Officer's Association believes that everyone should be treated with dignity and respect at work, but too often this is not the case. Bullying and harassment can be devastating and should not be tolerated in the workplace. Employers, unions and all of us as individuals have a responsibility to foster a work environment free from bullying. Insecurity, fear and intimidation must be overcome to create a safe and healthy environment in all our workplaces.

There is no specific law against bullying in the Isle of Man. One way to stamp out bullying in the workplace, however, is to identify it and stand up to it – together? It is often difficult for a bullied person to do this on their own. It takes considerable courage for someone to say that it is happening to him or her, so it is important that they are believed and supported by colleagues and their union.

If you are being bullied or harassed it can be difficult to know what to do about it – this guidance intends to give advice. Bullying does not always take place 'face to face'. It can occur in written communications, email, by phone or indirectly through other people. Bullying behaviour is devious and undermining: it rarely occurs by accident, but is a conscious effort by one person to negatively affect another – often a line manager to someone in a subordinate position.

Research has shown that bullies behave as they do because they are deeply inadequate themselves. It is often a manifestation of feelings of insecurity, lack of self-esteem and self-confidence and feeling out of their depth, fearing their own lack of talent may be discovered. Research has also shown that resentment and jealousy are powerful motives for bullying someone.

## What is bullying?

Bullying is an abuse of power. Bullying in the workplace is the persistent ill treatment of an individual and an extreme form of abuse. It usually takes a psychological form. Victims are competent, popular and are perceived as a threat by the bully, who wants to control, subjugate, and eliminate. A bully is a person who deliberately intimidates or persecutes someone they work with.

Bullying is defined by the UK Health and Safety Executive as "Prolonged conflict between individuals, including bullying or where staff are treated with contempt or indifference". This definition emphasises that bullying affects your health because it can go on for months or even years.

The terms bullying and harassment are often used interchangeably, and may definitions include bullying as a form of harassment. 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. It often incorporates unwarranted criticism, nit picking, fault finding, exclusion, isolation, excessive monitoring and much more.

The Irish Health and Safety Authority has the following definition of bullying in its Code of Practice:

"Workplace bullying is repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work. An isolated incident of the behaviour described in this definition may be an affront to dignity at work but as a one off incident is not considered to be bullying."

Harassment singles out a person on the basis of a characteristic, such as gender, race, disability, sexual orientation or religion. Bullying or harassment may be obvious or it may be insidious. Whatever form it takes, it is unwarranted and unwelcome to the individual. It is the insidious, continual drip drip drip effect of bullying that creates so much damage.

## How can bullying affect me?

Bullying can have a devastating effect on the health and well being of an employee. Anyone who is persistently subjected to abusive behaviour is at risk of stress related illness which can at its most extreme even lead to suicide. Not only can it make you ill, lose sleep, and make you dread the next day at work; it can affect all aspects of your life.

People who are bullied may experience a total loss of self-confidence, self-esteem and suffer from work-related stress. And stress, in turn, causes ill health, both physical and mental.

These are some of the ill-health symptoms of bullying:

#### **Your body**

- Headaches/migraine
- Sweating/shaking
- Feeling or being sick
- Irritable bowel syndrome
- Inability to sleep and loss of appetite
- Exhaustion
- Aches and pains
- Skin problems
- Frequent illnesses

#### **Your state of mind**

- Anxiety
- Panic attacks
- Depression
- Poor concentration and memory
- Sweating and palpitations

- Post traumatic stress syndrome
- Thoughts of suicide and worse
- Shame/guilt
- Stress breakdown

#### **Your behaviour**

- Becoming irritable
- Becoming withdrawn
- Change in personality
- Tearfulness/uncontrollable crying
- Increased consumption of tobacco, prescribed drugs and alcohol, etc
- Obsessive dwelling on the bully, and seeking justice

There is also growing evidence through research that passive bystanders in a bullying situation could suffer from anxiety brought on by their own shame and guilt at feeling powerless to defend the victim.

Workplace bullying costs money, it is clearly unhealthy for any organisation that allows it to happen, it flourishes in a negative work environment and can exist in any work environment unchecked and unchallenged.

It is demoralising for those who witness it, and devastating to those who experience it. Employers must get the message that bullying is bad for business for numerous reasons. These include direct economic impacts, such as absenteeism and staff turnover as well as the costs of paid sick leave, replacing staff and the legal and compensation costs arising from complaints and grievances. Job performance is almost always affected and relations in the workplace suffer.

#### **Are you being bullied?**

If you are at the receiving end of the following behaviour over a sustained period of time, its indicative that you are being bullied.

- Constant criticism or fault finding of a trivial nature – the triviality, regularity and frequency of incidents betray bullying
- Constant attempts to undermine you and your position, status, worth, value and potential
- Being isolated and separated from colleagues, excluded from what's going on, marginalised, overruled, ignored, sidelined, frozen out, sent to Coventry
- Being belittled, humiliated, threatened, demeaned and patronised, especially in front of others
- Being overloaded with work, or having all your work taken away and replaced with menial tasks or having no work at all
- Finding that your work – and the credit for it – is stolen and plagiarised
- Having your responsibility increased but your authority taken away
- Having annual leave, sickness leave, and – especially compassionate leave – refused, delayed or made difficult
- Being denied training necessary for you to fulfil your duties or progress in your career
- Having unrealistic goals set, or changing the goalposts
- Finding that everything you say and do is twisted, distorted and misrepresented

- Being subjected to disciplinary procedures with verbal or written warnings imposed for trivial or fabricated reasons and without proper investigation
- Being coerced into leaving through no fault of your own, constructive dismissal, early or ill-health retirement
- Spreading malicious rumours, or insulting someone by word or behaviour
- And more

### **Reporting workplace bullying**

It is particularly important to realise why so much workplace bullying is not reported because bullies of all kinds rely on the silence of the victims to enable them to persist with their bullying. There are several reasons:

1. The bullying is not recognised as such. Victims may believe that their treatment stems from their own shortcomings or that the treatment is in some way 'normal' in that environment.
2. The victim fears retribution and retaliation by the bully, that complaining will make the bully worse.
3. That complaining is a sign of weakness, that the person isn't 'up to' the job. A frequent cry with those protecting bullying in the workplace and where it has become part of the culture.
4. That there is no one to complain to or willing to listen. That people in authority are more likely to take the bully's side than that of the person reporting the bullying.
5. The procedures that may exist in theory within an organisation to protect the employee from bullying and harassment are rarely implemented. When they are, they have no independent judgement or right of appeal. In effect managers are often investigating their own colleagues.

The overwhelming feeling of the target/victim is one of being alone with their problem, and of growing isolation. Therefore in order to prevent the survival of the bully we must create an environment where the reporting of bullying is encouraged.

Even then the victim/target has taken a stand against bullying, they have so often been let down.

### **Why me?**

There are no obvious reasons why one person should be the victim of bullying and another not – it can happen to anyone. Some bullies may choose their victims because of their gender, religion, ethnicity or sexuality. Others are chosen because of their attractiveness, talent or even red hair. Jealousy and insecurity on the part of the bully is always a factor. It seems that some people may be bullied because they are seen as a threat, because they may be popular, well respected, or 'their own person' with a high level of integrity or empathy for others, in direct contrast to the bully. It's almost always the case that the target is exceptional in some way. In fact the possibilities for targets being chosen are numerous.

Bullies often get away with it by making their victims/targets think it is their fault, and victims may be unwilling to come forward. In some cases a worker may be bullied by both managers and their fellow workers, one starting and others following his or her example.

Bullies are just as likely to be women as men are. It is possible, however, that men may be more reluctant to report being bullied than women may, particularly if the person doing the bullying is female.

It is normal for any target of bullying to look for reasons that might explain why they have been singled out. Whatever the reason, it is always unacceptable. It is always the bully – not the target of bullying – who should be challenged.

It is possible that others are experiencing bullying or harassment without communicating this fact to colleagues, which is why it helps to confide in a trusted colleague or union representative at an early stage. If you can raise it with someone else, you may discover that colleagues were unaware, or are so fearful, disinterested or relieved that it's not happening to them, that they keep their heads down.

Some workplaces are more conducive to bullying behaviour than others – it is prevalent in hierarchical macho environments, characterised by 'tough' management often with a strong blame culture (scapegoating).

## **Why people bully .... and how they get away with it**

Whatever the myths, bullying is nothing to do with 'strong' management. Bullies are deeply insecure and lack management skills. Bullies bully to hide their own shortcomings. They lack feelings of empathy or of sensitive identification with another. They are also usually devious, manipulative and maybe very charming when they want to be. The clever bully is able to convince the unenlightened employer to go to great lengths to silence the already abused target, using threats of disciplinary action or dismissal.

Even if the target of bullying has the courage to stand up to the bully or make a complaint the bully will rarely admit what's going on and change their behaviour. When a bully is confronted, they often retaliate by denying and trivialising complaints. They may respond with aggressive criticism or a counter-allegation. They may draw the target into providing long explanations of the allegations against the bully, hoping to confuse or divert everyone from the real issues.

If this fails the bully may feign victimhood. They may even claim persecution and prey on the sympathy of other, perhaps pretending to be devastated by the allegations and claiming to be the one who is really being bullied or harassed.

Other colleagues, friends to the bully, or whose careers may benefit in some way by supporting the bully, may also be called in to support the case that there has been no bullying.

In some cases, people react to bullying in their workplace by becoming bullies themselves or by joining in. Their motives may be to avoid being the next victim or because they see the bully gains promotion and are therefore encouraged to follow by example.

It is no longer acceptable to bury our heads in the sand or turn a blind eye. By ignoring or colluding we are condoning bullying. We do not want to bully the bully, but bullies must learn to accept personal responsibility for the consequences of their behaviour.

## **What to do if you are being bullied**

It is not easy to challenge bullying in the workplace, but it is essential that we do. Where bullying is concerned, knowledge is power – you have to recognise bullying behaviour before you can tackle it. The following advice has been gathered from the experience of those who have been bullied:

- Take any action you decide upon as quickly as possible. Bullying rarely goes away on its own.
- It's vital to take yourself seriously and believe in yourself. Do not make the mistake of believing that the bully is like you, or that others will necessarily help you, stand up for you.
- Admit to yourself that you are being bullied, and understand how justified you are in feeling frightened and alone, anyone would be.
- Try not to take the fear or apathy of others personally.
- Confronting a bully yourself is not easy or advisable. Such action may be effective in the early stages. If possible, tell the bully to stop whatever they are doing that is causing you distress, but make sure that someone is with you.
- Get support and advice immediately from wherever you can. Your GOA representative is there to support you. Talk to a trusted colleague.
- After seeking advice make a formal complaint as soon as possible to the appropriate manager – if your own line manager is the problem then go up the hierarchy. Put everything in writing. Stay as calm as possible, state that you mean business and will not be fobbed off with lame excuses or ineffectiveness.
- Find out if anyone else is suffering, or if anyone has witnessed what has happened to you – you may be able to make a joint complaint, Please contact the GOA Secretary or your GOA representative.
- It's vital to keep a comprehensive diary. Remember these records will form part of your evidence of bullying should you bring a case to a hearing. Record the date/time/place of incidents, abuse, accusations, witnesses, changes to your job. Keep copies of relevant letters, emails, memos and appraisals.
- Don't feel you are being petty by recording what appear to be insignificant incidents – such notes will help to establish a pattern of bullying behaviour.

- You may feel silly, or be made to feel that you are over reacting, because much of the behaviour and many of the events may sound small but it is the quantity and persistence, that 'drip, drip, drip effect' that has the damaging results.
- Avoid being alone with the bully, and if possible get witnesses to the bullying.
- If your health is affected, see your doctor. She or he may suggest you take a period of sick leave to help you recover. Make sure he/she records everything. Inform your employer of any medical help you seek. The significance of this is that your boss cannot claim later that he or she didn't know that your health was being compromised by bullying.
- If you have access to an occupational health worker/department, state clearly what is happening and how you are feeling, make sure you keep records.
- If you experience a stress-related incident, such as an anxiety attack, or hyperventilation, this should be recorded in the workplace accident book (every Department is legally required to maintain an accident book).
- Consider informing the Human Resources department of what's happening. However, bear in mind that bullies are devious and good at creating protective support structures.
- Look after yourself. Do anything that makes you feel better – some people find that counselling helps. This is available through the Welfare Office based in Nivison House. You may have been bullied for months or years by the time you realise the truth of your situation so your health may already be affected. Remind yourself that it is not your fault – the bully is the problem.
- If your health suffers to the point where you feel staying in your job is no longer tenable, you may feel you have little option but to leave. Before you do please get advice off us and make sure you have gone through the grievance procedure first.

### **Making it formal**

The GOA will be able to advise you on making a formal complaint – a grievance – against the bully. We can help you state your grievance clearly which may help in finding a resolution. Before taking any action consult the Civil Service Regulations for grievance procedures. The Regulations will tell you who the complaint is made to, how a grievance is dealt with, and what to do if you are unhappy with the outcome. If the line manager is the bully, establish whether it's possible to raise it with a more senior manager, however, you may have to raise it initially with him or her. Under no circumstances attend such a meeting alone. You can be accompanied by a GOA representative or a trusted colleague. Bring written evidence with you to back up your case – remember that bullies are devious and may raise a counter allegations against you. Keep a record of the meeting.

After investigating your complaint, the employer may decide to offer counselling or take disciplinary action against the bully/harasser in accordance with disciplinary procedures.

Disciplinary procedures may also be used for disciplinary action against someone who makes an unfounded allegation of bullying or harassment.

The GOA is of the opinion that the current grievance procedures are not suitable for bullying or harassment cases and that there should be a dedicated policy and procedures on the matter introduced urgently. The number of cases of bullying or harassment reaching the Union office is increasing and it is felt that a purpose made policy would help. In the meantime the grievance procedure is the only method of combatting this issue.

Responding to bullying in the workplace may be one of the most difficult things any GOA member may have to confront in their life. It takes courage. The GOA is here to support, advise and is committed to overcoming this workplace abuse. Confronting the bully is a daunting prospect and may not be immediately successful, but the more people do it the less bullying will be tolerated or condoned in the workplace. Remember, by taking action to protect yourself, you are taking control of the situation. Even though it may feel intimidating take heart, there is nothing a bully likes less, than an individual standing up for their rights. By doing so you are taking away the power on which the bully depends.

Creating a culture of trust respect and support must come from the very top

The GOA is committed to pushing the introduction of an anti-bullying policy/procedure which should:

- Include a commitment from senior management that bullying is not acceptable
- Define what is acceptable behaviour, and what is not

- Recognise that bullying is a serious offence, and can lead to disciplinary procedures
- Recognise that bullying is an organisational issue
- Apply equality to everyone
- Have read independent judgement and a right of appeal to all
- Guarantee confidentiality and protection from career damage
- Set up clear informal and formal steps for dealing with it
- Provide effective mediation
- Let all staff know where to get a copy of the anti-bullying procedure
- Guarantee that anyone complaining of bullying will be supported not victimised
- Commit to using a risk assessment approach to bullying
- To be jointly drawn up and agreed by the JNC

Any member experiencing difficulties as outlined in this advice should contact -

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