

# BULLYING & HARASSMENT

Lunchtime session for  
Contact members

Thursday 9<sup>th</sup> May 2024



**HR SERVICES**  
— BRISTOL —  
*Keeping HR simple*

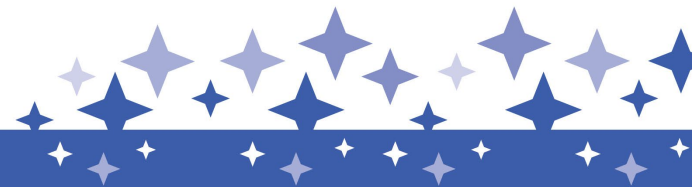
*Tracey McCarthy*



# AIMS OF SESSION



- Define bullying and harassment
- How to prevent
- How to respond to a complaint
- The danger of failing to act

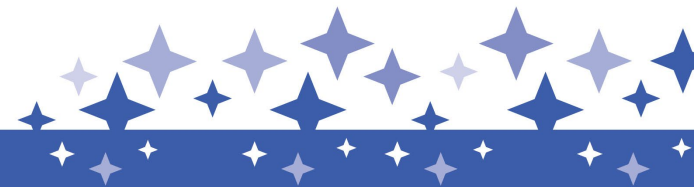


# DEFINITION OF BULLYING



‘Offensive, intimidating malicious or insulting behaviour, or an abuse or misuse of power which undermines, humiliates, denigrates or injures the recipient’.

ACAS



# DIFFERENCES



## BULLYING

- Exclusion, 'silent treatment'
- Spreading rumours
- Failing to acknowledge achievements
- Denying development opportunities
- Overburdening with work
- Failing to follow fair, consistent processes
- 'Setting up to fail'
- Not acknowledging someone's role/status in the organisation
- Inappropriate criticism of the individual or team
- Sabotage

## HARASSMENT

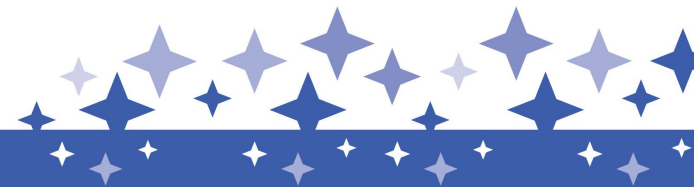
- Verbal or written offensive jokes/views, criticism, stereotyping, pranks, gossip
- Unwanted physical contact eg hugging, brushing up against someone, touching hair
- Coercion
- Intimidation
- Intrusion eg following, stalking, spying

# DEFINITION OF HARASSMENT



The Equality Act 2010 makes three types of harassment unlawful:

1. Related to a protected characteristic
2. Sexual harassment – unwanted sexual conduct
3. Harassment related to sex – treated less favourably



# PERCEPTION



Always give consideration to the alleged victim's perception of the event, or events.

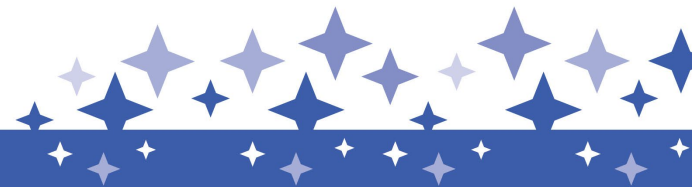
Is it reasonable to conclude the conduct has had the effect expressed?

Tribunals will take this into account!

# LIABILITY



- Employers liable to facts of harassment by employees in the course of employment.
- Must take reasonable steps to prevent.
- Can apply to events OUTSIDE of workplace.
- Includes third parties eg contractors, suppliers.





# PROACTIVE MANAGEMENT



- All communications – ‘this is a safe place to work’
- Job description
- Employment contract
- Code of Conduct
- Disciplinary policy
- Safeguarding policy
- Bullying and harassment policy

# REACTIVE MANAGEMENT



Act swiftly – for the dignity of the complainant and to avoid further complaint of failure to act.

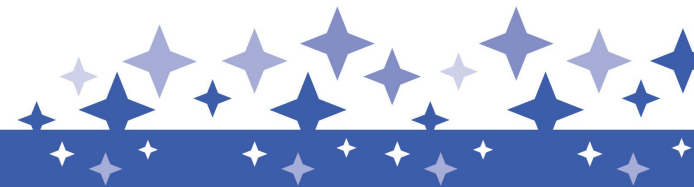
Consider:

- having named people who will take responsibility for complaints
- Always investigate before making decisions/finding solution
- Offering support throughout the process
- Informal – not always possible
- Formal – follow your policies
- Mediation may be the ideal solution

# FAILURE TO ACT



- poor morale and poor employee relations
- loss of respect for managers and supervisors
- poor performance/lost productivity
- increased absenteeism and work-related illnesses
- high staff turnover and low retention rates
- damage to organisation's reputation
- tribunal cases





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