

Dealing with bullying and harassment at work:

a guide for RCN members





Royal College
of Nursing

Introduction

Nurses should be treated fairly and consistently, and with dignity and respect wherever they work. Their workplace should be free from undue stress, anxiety, fear or intimidation.

But the RCN is aware that all too often many nurses do experience bullying and harassment in their workplace, regardless of their position or clinical specialism. Anyone you work with can bully or harass – other nurses and health care colleagues, managers, patients and their relatives.

This leaflet provides guidance on how to recognise bullying and harassment, and what you can do about it. There is also advice about what to do if you are the one accused of bullying or harassing behaviour.

Bullying and harassment undermine physical and mental health, frequently resulting in poor work performance. For some nurses it is so bad they decide to leave their job. Bullying and harassment causes a range of symptoms:

- ◆ sleeplessness
- ◆ loss of confidence
- ◆ loss of appetite
- ◆ self-doubt
- ◆ hypervigilance
- ◆ excessive double-checking of all actions
- ◆ inability to relax
- ◆ inability to switch off from work.

Bullying and harassment are a form of violence. It is unacceptable and constitutes a fundamental violation of human and legal rights that can lead to criminal and civil law prosecution. Employers have a duty of care to provide a safe and healthy working environment. Nurses too have a responsibility to ensure their behaviour does not distress colleagues.

One way to stop bullying and harassment at work is by raising awareness. The RCN is committed to doing this, and to encouraging employers to develop anti-harassment policies that are reviewed regularly. This ensures their effectiveness, and takes account of new best practice.

Further RCN help on bullying and harassment at work and your legal rights is available from the 24-hour information and advice line for members RCN Direct. Call 0845 772 6100.

Bullying and harassment

How you experience bullying and harassment is unique to you, and *not* necessarily the result of what had been intended. It is up to you to decide if you are being bullied or harassed because *you* find the behaviour unacceptable. Witnessing a colleague being bullied and harassed can also be distressing or offensive.

Harassment

Harassment is any conduct based on age, disability, HIV status, domestic circumstances, sex, sexual orientation, gender reassignment, race, colour, language, religion, political, trade union or other opinion or belief, national or social origin, association with a minority, property, birth or other status that is unreciprocated or unwanted and which affects the dignity of men and women at work. (Adapted from the Human Rights Act 1998 enacted in the UK in October 2000, and European Community Recommendation & Code of Practice on Harassment).

Harassment is unacceptable if:

- ♦ it is unwanted, unreasonable and offensive
- ♦ it is used as the basis for employment decisions
- ♦ it creates a hostile or ineffective working environment.

Harassment is:

- ♦ repeated events
- ♦ a single serious incident
- ♦ physical abuse such as unwanted physical contact
- ♦ verbal abuse such as anonymous answerphone messages, using offensive language or innuendo, telling offensive jokes, name calling or spreading malicious rumours
- ♦ written abuse such as letters, faxes, e-mails or graffiti (often anonymous), and displaying offensive pictures or posters
- ♦ obvious and direct abuse such as mimicking the effect of a disability, explicit threats
- ♦ unseen and covert abuse such as social isolation and non co-operation, implicit threats, pressure for sexual favours
- ♦ abuse that occurs at work, or outside but is work-related such as stalking.

(this list is not exhaustive)

Bullying

Workplace bullying is the misuse of power or position. It can lead to poor work performance, and to feelings of fear, anger, powerlessness and hurt.

Bullying is:

- ◆ sadistic or aggressive behaviour over a period of time
- ◆ exclusion from meetings
- ◆ humiliation, or ridiculing
- ◆ criticism in public designed to humiliate
- ◆ persistent, unwarranted criticism in private
- ◆ treating colleagues as children
- ◆ changing work responsibilities unreasonably or without justification
- ◆ deliberately withholding information to affect a colleague's performance
- ◆ constantly changing work deadlines or work guidelines.

(this list is not exhaustive)

Why are people bullied and harassed?

There are no simple explanations why one person rather than another is bullied or harassed. Factors that may influence bullying and harassing behaviour include:

- ◆ the culture of an organisation or work team
- ◆ the personality of the bully
- ◆ the personality of the target.

Sometimes a person is bullied and harassed because of:

- ◆ social background
- ◆ appearance
- ◆ success, achievement or efficiency
- ◆ popularity among colleagues or patients
- ◆ age, marital status, gender, race, religion, disability or sexual orientation
- ◆ provocative behaviour such as being outspoken or over-enthusiastic.

Deciding what to do

There are several different approaches for dealing with bullying and harassment. The most appropriate approach for you depends on what you are most comfortable with, and your circumstances.

But before you make a decision think about the different feelings you are experiencing. Some people feel self-doubt and anxiety, others lose confidence and self-esteem. Confusion about your self-worth may make it difficult to:

- ♦ recognise what is happening to you
- ♦ feel strong enough to take action
- ♦ know what action to take.

Here are some suggestions to help you make a decision about what to do.

First steps

Talk to other people

It is often helpful to talk informally to friends, family, trusted colleagues, or a workplace counsellor. This is one way to grasp what is happening to you, and clarify that you have a genuine problem. If you have symptoms of stress and anxiety seek advice from your GP, or workplace occupational health department. They can assess your fitness to work or to return to work.

Make a note

The importance of keeping a written record of incidents cannot be over-estimated. It can be therapeutic, and help to clarify exactly what is happening so you can do something about it. Also a diary of events provides vital evidence for the investigation into your case if you decide to make a complaint at a later time.

If you find it difficult to write things down, remember to make your notes short and simple. Here are some pointers to help you:

- ♦ write down the details as soon as possible after the event while they are still fresh in your mind
- ♦ record the following details:
 - date of incident
 - location

- time
- nature of the incident
- your response
- your feelings at the time
- whether or not you took any action
- the names of any witnesses.

Why people fail to report bullying and harassment

Most workplaces have a bullying and harassment policy. But many people are still reluctant to complain, and are confused about whether to leave or to stay and deal with the issue. Often people fear the consequences of reporting the situation because they think:

- ♦ they will not be believed
- ♦ their case will not be dealt with sensitively
- ♦ they will appear weak
- ♦ nothing will be achieved
- ♦ similar complaints have failed
- ♦ the situation will only be made worse.

But until you do something about it, it is unlikely that the bully or harasser will stop.

What are the options for action?

Gather information

Before you decide what action to take find out about your workplace policies and procedures. Talk things through with your RCN representative or your workplace counsellor, who treat such conversations in the strictest confidence. They can explain what will happen in more detail.

Make a direct approach

Making a direct approach is often effective in dealing with less serious harassment situations.

Talk to the person who is bullying or harassing you. Their behaviour may be unintentional and would stop if they were aware of the effect. You can make this approach alone, or with the help of your RCN representative or a friend.

If you do this take a calm and reasoned approach, and make a note of everything that is said. You can do this either at the time or immediately afterwards.

Workplace bullying and harassment policies

Most workplace policies have two kinds of procedures for dealing with bullying and harassment:

- ♦ informal
- ♦ formal.

Informal approach: conciliation

The informal approach is where you ask your line manager, or senior manager to talk to the person you are complaining about to attempt conciliation, rather than impose sanctions.

Follow the instructions in your employer's bullying and harassment policy. It is also a good idea to ask your manager the following questions:

- ♦ will they use your name?
- ♦ when will they talk to the individual?
- ♦ when can you find out what has happened?
- ♦ what happens if conciliation doesn't work?
- ♦ what steps should you take next?
- ♦ is there anything else you should do?

If the manager you speak to is unsympathetic, keep a record of your meeting and talk to your human resource or personnel department and RCN representative.

Formal approach: written complaint

If the bullying and harassment continues you can make a written formal complaint by following your employer's policy.

First contact your RCN representative for help in preparing a clear and objective complaint statement. Then register your complaint in writing with your manager or human resource director. All bullying and harassment complaints should be investigated swiftly in line with workplace procedures.

But whatever you decide to do, contact your RCN representative or workplace counsellor to discuss your concerns in confidence. This is

very important even if you are uncertain about whether you are being bullied or harassed.

Free, professional and confidential help and advice is also available for RCN members from the RCN's Counselling Service. To make an appointment telephone 0845 769 7064 during office hours.

What if you are accused of bullying and harassing?

Many employers today are committed to reducing bullying and harassment, and will resolve conflicts quickly and effectively by encouraging staff to take informal or formal action. This approach may include training managers to take a proactive approach to any signs of conflict, and to talk to staff about inappropriate behaviour.

Informal approach: conciliation

When a colleague or a manager speaks to you informally about your behaviour at work, it may be because you are unaware of its effect. Even if you think your intentions are well meaning, if someone is hurt by your actions they have the right to communicate that to you and to ask you to stop. You may be asked to consider the possibility that you may be at fault. Try not to be defensive and to make counter-accusations. Often a simple discussion at this stage can resolve the problem, and identify more effective ways of communicating that is not threatening. For example, you and the person who made the complaint could ask a colleague that you both trust to facilitate a discussion.

Sometimes complaints are unjustified or frivolous. In these circumstances contact your RCN representative for advice, and /or the RCN Counselling Service for additional support.

Bullying or harassment by patients, clients and relatives

You may experience bullying and harassment by patients, their relatives and other members of the public. This is unacceptable and your employer has a legal duty to ensure that you are not exposed to any unnecessary health and safety risks. All health service employers should have policies for dealing with this, or be developing procedures. (See *Bullying and harassment at work: a good practice guide for RCN negotiators and health care managers*, publication code 000 926 for further information).

What do you do if patients, clients or relatives bully you?

- 1 If this happens follow your employer's policy and procedures for dealing with bullying and harassment by patients or other members of the public. Where there is no protocol report the incident to your manager. You have the right to expect your manager to take action on your behalf. **If you think the manager's response is inadequate, contact your RCN representative for further advice.**
- 2 Harassment is a criminal offence and you should report the incident to the police. The RCN is encouraging health care employers to support their staff in reporting harassment.
- 3 Because bullying and harassment is a form of violence you should complete an accident or adverse incident form. This will help your employer make risk assessments, and safeguard your interests if there is future legal action. **You should keep a copy of the accident form.**

Further reading:

Adams, A. with Crawford, N. (1998) *Bullying at work: how to confront and overcome it*. Virago. London.

Bullying and harassment at work: guidance for employees (1999) ACAS, London.

Ishmael A. & Bunmi A. (1999) *Harassment, bullying and violence at work*. The Industrial Society. London.

This guidance is dedicated to the memory of Neil Crawford (1954 – 2000). Neil, a psychotherapist at the Tavistock Institute, was an acknowledged expert in the management of bullying and harassment. His work helped organisations to establish anti-harassment programmes and encouraged many individuals to stand up to unreasonable behaviour. The RCN was fortunate to have the benefit of Neil's considerable knowledge in developing this guide.



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20 Cavendish Square
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W1G 0RN

020 7409 3333

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