

## **November 2008 Conference – Workshops Report**

The Conference held a range of workshop sessions and the following reports were received.

### **Report on Workshop 1 – Culture for Positive Change**

Session led by Debbie Hutchings, UNITE (AMICUS) Facilitated by John Hall UKNWSN Steering Group

This session began with me introducing myself and my involvement with the UKNWSN and why I joined the Steering Group. The Workshop was well attended despite some initial confusion over the room change with an attendance of over 15 delegates.

Debbie needed very little introduction as she was already known to delegates following her presentation earlier in the morning on Dignity at Work.

In the strong tradition of workshops delegates briefly introduced themselves and it was noticeable that there at least 2 delegates from DAWN, Dignity at Work Now, in the workshop. Following this introduction Debbie decided as a means of an Icebreaker for the workshop to form into 3 groups and each delegate was given a paper called Identifying Behaviour in which each group had to decide through discussion whether a behaviour was either acceptable, questionable or unacceptable and with 45 questions this gave each group plenty of scope and opportunity for discussion.

After an appropriate period of time the groups fed back to each other and this led to a further period of discussion of why groups made their decisions and the reason for any disparities. As some delegates in the group had Supervisory roles in their workplace this produced an interesting debate between the dilemma of Managing Performance stepping over into Harassment and duress.

As with other workplace phenomena there was felt to be a further dilemma in accessing the right information and a skill in gathering and collating the right information. In many cases it did not mean having to re-invent the wheel but Health and Safety Representatives being able to assert their role and undertake work place safety reports in a competent and consistent manner.

Debbie Hutchings herself stated that she used a Work Smart form developed by UNITE.

The overall recommendations of the workshop was that to bring about positive change in the workplace active trade unionists need access to the right information to enable them to raise awareness to the extent that once momentum has been gathered it is important to sustain it.

There was a lot of interest shown by delegates in the concept of some organisations introducing mediators to resolve conflict.

**John Hall, for UKNWSN**

### **Workshop 2**

#### **Returning to work after bullying and Harassment at Work**

The aim of this session was to:

- Look at the results of a Return to Work Survey.

- Sickness absence issues
- Prevention and early intervention
- Legal aspects

### **Return to Work Survey**

Most people bullied at work have an excellent work history prior to the bullying. Bullying can cause stress, depression, anxiety and traumatic stress disorder. 17% of HR professionals take time off work due to bullying at work. Many people are required to return to work in the same circumstances where nothing has changed. Over 20% of victims will change their jobs whilst 25% of witnesses will do the same. In general there is no dedicated help for those returning to work. Surveys indicate that 75% of workers have witnessed bullying.

### **Sickness Absence Issues**

Employers should during a period of sickness absence:

- Maintain contact and update information.
- Update skills where possible.
- Organize a phased return if appropriate.
- Find out what adjustments are required.

### **Prevention and Early Intervention.**

- Companies need the following:
- Training and awareness of bullying
- Effective policies
- Occupational health input
- Availability of counselling service
- Independent investigation of accusations.
- Mediation procedure by trained mediators available at an early stage.

### **Legal Aspects**

Key areas need to be considered by employers:

- Disability discrimination.
- Age discrimination.
- Health and safety.
- Unfair dismissal.
- Post employment Victimization/Detriment

## **WORKSHOP REPORT**

### **Returning to Work after Bullying & Harassment**

*Facilitator: Jo Brown of Just Fight On!*

*Just Fight On!* is a not-for-profit organisation dedicated to opposing workplace bullying, and to supporting those who have suffered from this behaviour. This workshop set out to examine a range of issues around returning to work, and emphasised the need for prevention and early intervention strategies in cases of bullying. This provided a useful link to Charlotte Rayner's presentation earlier in the day.

Jo presented an overview of the return to work journey, pointing out that this may be a complex process. If the original bullying problem has not been addressed, options are (a) to seek alternative work within the same organisation, or (b) to leave. Neither is necessarily desirable in itself – in scenario (a), the victim has been obliged to redeploy while the bully may remain in post; in (b), there is the prospect of unemployment, with associated economic and psycho-social pressures. The bullied person may be making a heavy investment of time and emotion in the process of applying for new jobs at the same time as pursuing litigation against their original tormentor and/or employer. In addition, there is a lack of dedicated help for individuals returning to work after bullying, whether to the same employer or elsewhere.

Delegates worked in groups to examine barriers to returning to work from the perspectives of the individual and the employer. For the individual victim of bullying, the following issues were identified:

- Loss of confidence and self-esteem (a potential barrier to future interview success)
- Fear of facing the same treatment again
- Perceived resentment toward the victim from colleagues forced to cover their work (a particular issue for teachers)
- In the case of a lengthy absence - changes in the workplace dynamic due to altered personnel or priorities, leaving the returnee feeling displaced and isolated
- Issues around possible redeployment and change of role
- Longer term effects on work record and c.v.

The main areas of concern for the employer were agreed to be:

- How to manage the individual's re-integration in a sensitive way
- Identifying and making any reasonable adjustments to working practice and/or environment
- More generally, the ongoing need to risk assess current causes of significant absence

The workshop then focussed upon some case studies, examining the strategies which had been used and discussing what could have been done differently as well as identifying positive aspects. In the plenary session which followed group work, Jo sought to bring together delegates' views and to agree some conclusions about good practice and innovative strategies for managing return to work. Main points made here were:

- Early and decisive intervention was strongly recommended in all cases, with the emphasis upon supporting the bullied person
- Companies should ensure that each absentee has a named point of contact, and look at employing a 'buddy' system to ease the return to work
- Policies (e.g. on dignity and respect) will not work unless accompanied by mandatory training for managers
- Mediation was strongly supported by some delegates, although others thought it ineffective when dealing with the plausible type of serial bully
- Occupational Health: can provide a valuable service, but there are concerns about the standards and impartiality of some 'independent' OH providers
- Re-integration of the absent worker is not always well done –keeping absentees 'in the loop' is important
- Sickness absence management policies which are insensitive, governed by numbers (e.g. Bradford factor) or plainly punitive should be challenged by trade unions

- In cases where a victim returns to work with the bully still in post, one strategy could be a behavioural contract, to be signed by both parties on the understanding that a breach of it could trigger disciplinary procedures.

Finally the workshop discussed issues which might be taken back to the full plenary session of Conference. Delegates agreed to ask the panel for their expert opinions upon:

- effective strategies for early intervention in cases of bullying and harassment
- practical methods for supporting individuals on long-term sickness absence.

This was a stimulating and well-run workshop with high levels of involvement, discussion and occasional disagreement among delegates. We agreed in discussion that, as in all events of this type, there had been an element of 'preaching to the converted' and that some managers and HR professionals of our acquaintance would have benefited from attending! Perhaps there is scope for the UKNWSN to develop a role as an 'honest broker' and facilitator of events which bring together trade unions, HR, managers and other professionals?

**Vaughan Skirrey for UKWSN**

### **Workshop 3**

**Work shop Leader: Rachael Pope**

In 2005 research was conducted in two Primary Care Trusts in the NHS. Title: To focus on 'bullying' is to be side-tracked

#### ***The aim of the research was:***

To assess and analyse the prevalence, type, frequency, effect, response pathway and outcomes of negative behaviours experienced and/or witnessed by primary health care staff and to define the behaviours into workplace incivility, aggression and bullying. The aim was also to assess the relationship of the incivility and aggression to the perception of bullying.

Negative workplace behaviour for the purpose of the research was defined as:

Any behaviour that is disrespectful and undermines/violates the value/dignity of an individual. It is behaviour that harms individuals and organisations. (R. Pope 2005)

Negative behaviour was then divided into three categories and defined in the following manner.

#### **Workplace incivility:**

Rude, insensitive or disrespectful behaviour towards others in the workplace with ambiguous/unclear intent to harm

#### **Aggression:**

Aggressive behaviour with the unambiguous, clear, intent of causing harm to a person

#### **Bullying:**

"Offensive, abusive, intimidating, malicious or insulting behaviour or abuse of power, which makes the recipient feel upset, threatened, humiliated or vulnerable, undermines their self confidence and may cause them stress" (Chartered Society of Physiotherapy, 1997:4)

The definitions for workplace incivility and aggression were based on the descriptions and definitions of Pearson *et al* (2001). The bullying definition was the one most commonly chosen by a sample of 223 Trust staff as being the definition that best described their experience, perceptions and understanding of bullying out of a selection of seven definitions. It is interesting and very important to note that this definition does not include

any references to intent, frequency, persistency or exclusions of one-off incidents. A number of staff also made comments about disliking such references.

#### Key Findings:

- Most of the behaviour was defined as incivility
- Some of the incivility was considered bullying and some not
- There was some aggression and this had a higher level of effect and was always classed as bullying
- Incivility and not bullying had the very similar levels of effect as incivility classed also as bullying
- Low frequency negative behaviour had similar levels of effect as higher frequency behaviour
- Witnesses were affected, but less so
- Managers were affected at similar incidence and levels of effect
- Most of the behaviour was from colleagues

#### Conclusions:

- All negative behaviour is damaging and costly to the individual and the organisation
- We need to consider all negative behaviour in the workplace. If we, or the organisation only look at what is considered 'bullying' then we have missed part of the picture
- There is a need for a zero tolerance policy and a focus on prevention of all negative behaviour
- There needs to be a clear expectation of positive behaviour in organisations
- There should be a Dignity at Work policy rather than a 'Bullying' Policy, referring to, and defining a broad range of behaviours – need to broaden language to 'Negative Behaviour', 'incivility' etc
- Definitions for 'Bullying' should not include any references to intent, frequency, persistency or exclusion of one-off incidents
- Where there are problems with negative behaviour the emphasis should be on informal resolution, if possible. We also need to support people
- There is a need to focus on treating all staff with dignity and respect

Using the words of Michael West from Aston University talking at the HR in NHS Conference 2005 on employee involvement/motivating staff. We "need to create communities that are kind" and that "Leaders should be kind". We need to be developing organisations so there is 'Dignity at work within a caring supportive culture' (UK National Work-Stress Network)

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**Burnes, B. Pope, R** (2007) 'Negative Behaviours in the Workplace: A Study of two Primary Care Trusts in the NHS', *The International Journal Of Public Sector Management*, Vol. 20 No. 4, pp. 285-303

#### **Workshop 4: Technologies and Bullying**

Question for Debate: How do you get management to take abuse through cyber bullying seriously. (NB It may be their own behaviour).

Among points raised were:

- There should be a safe use policy
- Start by educating users right from the beginning. There should be clear rules and reasonable penalties for infringement. Redress would probably be through the grievance procedures.
- The policy needs to be clear and sufficiently generalised to be widely applicable. It should not be used as an excuse for excessive monitoring as this could be seen as an invasion of privacy/human rights.
- The company system (s) should be for company business only and for Trade Unions where a facilities agreement exists.
- Start with values and expectations. There should be rules of politeness, privacy and defined contact hours.
- There should be a risk management approach customised to employee/employer role.
- The policy should cross refer to bullying and harassment policy, dignity at work policy, etc. or should it be contained within any of them?
- There should be an entitlement/ requirement for training when new technology is introduced (Health and Safety at Work Act).
- There should be rules about the way in which information and power are used. Information is power.
- Policies should be kept up to date.
- There are issues of copyright – who owns the message?
- Think about safe systems – who should have your password?
- Think about data protection and the legal framework.

A key question – where is best practice?

Audits and surveys – are they a problem?

Policies need to be reviewed regularly by involving the unions, consultative committees, etc.

### **Plenary:**

Mediation, does it resolve the problem or merely prolong the agony?

It has to be early if you are to change the culture.

Philippa Weightman, for UKNWSN

### **Master Class report:-**

#### **Why Bullies Bully**

Report on Masterclass B Why bullies bully ( Case study based on research)

This master class gave new insights and new frameworks for answering some of the core questions about bullying e.g. why and how do bullies bully and what is the role of the audience (those who are aware of what is happening).

Theoretical concepts of boundaries, containment and projection were introduced to explain the dynamics of bullying. (Further information on these concepts can be obtained from [www.whybulliesbully.com](http://www.whybulliesbully.com)). Essentially bullying occurs when an individual feels particularly anxious and tries to get rid of those anxieties on to others. Bullies test the boundaries of colleagues to find suitable 'containers' for their anxieties.

Many individuals may have the potential to be bullies or victims but will only do so if the conditions within the organisation are favourable e.g. there is a culture of poor communication and a lack of concern for the health and psychological well-being of staff.

The case study, taken from research in a civil service organisation showed how a bullying scenario arose from a systemic interplay of factors e.g. pressures on an organisation from external stakeholders, structural and cultural factors, management style, group dynamics, interpersonal relationships, and the behavioural and emotional dispositions of individuals. An example was given of how a leader became a bully.

A risk analysis was carried out by participants. These are some of their conclusions:-

1. Organisations at risk of fostering bullying are ones in which change is introduced without careful thought, where there is autocratic leadership, and pressures are unrealistic.
2. Departments and teams at risk of developing bullying scenarios are ones which are fragmented and have little identity.
3. Individuals who are at risk maybe naive about their boundaries,

The master class concluded with recommendations for a thematic and holistic approach to more effectively managing bullying. Themes included space, communication and vacuums.

Sheila White, Session Facilitator