



Health & Safety

# MATTERS

Health & Safety Information for GMB Safety Reps

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## Bullying and Harassment

With the current economic situation causing widespread redundancies and increasing uncertainty and workloads for workers, bullying and harassment at work is a widespread and growing problem. A recent GMB survey in the Utilities Sector found that in one business, 95% of those questioned felt that their employer had a bullying culture, and TUC research has shown that almost half (47%) of UK employees have witnessed bullying at work.

Bullying is a daily issue for many GMB members. It can take many forms, and is often carried out by people in a position of power such as supervisors and managers. It is clear that bullying or harassment are inexcusable at work; that your employer has a duty to protect you from such behaviours; and you do not have to tolerate this from colleagues or anyone else.

### **What is bullying and harassment?**

Bullying and harassment at work takes many forms. Harassment is unwanted conduct which affects the dignity of workers, through actions or comments that demean and are unacceptable to the person on the receiving end. Bullying is an extreme form of harassment. It is a type of behaviour that is insulting, offensive, intimidating, or malicious. It often involves the abuse or misuse of power intended to humiliate, undermine, denigrate or injure the recipient. It is often, but not always, carried out by people in positions of seniority. It can be directed at individual workers or larger groups.

Some bullying is easily identifiable, such as: continual, unjustified criticism; public humiliation; teasing or spiteful comments; 'cold-shouldering' or segregating workers; and physical abuse and violence.

Other forms of bullying are more subtle and invidious. These often include: setting unrealistic expectations and deadlines; spreading malicious gossip; taking credit for the work performed by the victim, or blaming the victim for the failings of others.

Bullying and harassment do not just happen face-to-face. They also occur in writing; through the use of e-mail and the Internet; over the telephone; and automatic supervision methods, such as computerised recording of working time. Currently, bullying and harassment through media such as Facebook, Twitter and text messaging is on the rise. Whether any behaviour amounts to bullying will depend on the impact that it has on the person concerned, and not on the intention behind it.

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## **Bullying policies and procedures**

Every employer should have a bullying and harassment policy and clear procedures in place for tackling the issue, including through the use of work technology. The policy should be accompanied by a procedure detailing the stages for dealing with complaints of bullying, and explaining the time limits and rights to Union representation, etc. In companies without a specific procedure for dealing with bullying complaints, they may be dealt with through the standard grievance procedure.

Disciplinary procedures should also include a reference to bullying under their list of potential gross misconduct offences. Your manager should be able to provide you with a copy of your employers bullying policy and procedure. You must contact your Regional Organiser if your employer does not have a bullying policy, and as GMB will have an important role in negotiating one.

## **What should I do if I'm being bullied or harassed at work?**

Bullying at work can never be justified or tolerated by GMB. If you raise a complaint of bullying or harassment, GMB will support you in getting the tackling the behaviours and stopping the problem. Tackling workplace bullying is achieved more quickly and successfully when GMB Health and Safety Representatives are involved and can help to resolve issues.

- In the first instance, speak to your Health and Safety Representative, Shop Steward or branch officials. They will be able to advise you on how to proceed.
- Make sure you record every bullying incident, especially the date and time you were subjected to the behaviour. Be sure to capture how the bullying made you feel.
- Keep copies of all correspondence relating to your ability to do your job, including any e-mails, text messages and Facebook/Twitter postings.
- Check your employer's bullying policy and/or grievance policy for how to raise your complaint.

The key is to ensure that someone within both GMB and your employers' organisation is aware of the behaviours you are being confronted with. It doesn't matter whether these fit within the strict criteria or definitions of a work policy. If you are unhappy in any way with your treatment at work, you have the right to contact GMB for support and advice.

## **What should Health and Safety Representatives do to support a member who is being bullied?**

Those who are being bullied often find it hard to ask for help. If a member approaches alleging that they are being bullied, you must take their allegations seriously, and ensure that they are support throughout the entire investigation process. Often, a bullying culture at work means more than one colleague is suffering bullying in silence. It is worth trying to find out whether other workers have been bullied and if so ask them for details. An anonymous workplace survey can be very useful in gaining such information, and your Regional Health and Safety Officer can assist with the design of such surveys. If evidence

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exists that bullying is affecting more than one person, consider making a collective complaint.

It is important to encourage the member to document what has happened to them, including what was said and done, by whom, and the date and time that incidents occurred. This documentary evidence is important if you later need to raise a formal complaint. Discuss with the member what they want to happen about the bullying, and how best to use your workplace procedures to tackle the issue.

You should encourage the member to report the bullying to management, with the support of the union. You may need to do this on their behalf if they are concerned about repercussions. It is crucial that members are represented and supported at all stages of the investigation.

Ultimately, if you are unable to resolve matters through the existing procedures, you must contact your Regional Organiser to identify further options, including potentially taking a case to an Employment Tribunal.

## **Conclusion**

There can be little doubt that instances of bullying and harassment at work are on the rise, as people come under more pressure to deliver and perform. The National Health and Safety Department will be publishing more detailed guidance on the subject in 2012.

In the meantime, whether you are being bullied at work, or are being asked to support someone who is being bullied, you are not alone. Support and advice are available from your Regional Organisers, Regional Health and Safety Officers, and from the National Health and Safety team. For more information, contact [john.mcclean@gmb.org.uk](mailto:john.mcclean@gmb.org.uk) or [daniel.shears@gmb.org.uk](mailto:daniel.shears@gmb.org.uk).

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